

**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, October 15, 2012, 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

PROCLAMATION

National Domestic Violence Awareness Month

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Accepting Bid for Fluoride Replacement System, Continental Construction
- Resolution No. 2 - Approving Online Auction Through Auctions International, Inc. for Auction of Surplus Vehicles and Equipment
- Resolution No. 3 - Approving the Site Plan for the Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122
- Resolution No. 4 - Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106
- Resolution No. 5 - Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

- Resolution No. 6 - Approving the Project Agreement Between the City of Watertown and the Development Authority of the North Country for Funds From the North Country HOME Consortium
- Resolution No. 7 - Authorizing Acceptance of Credit Cards for Payments
- Resolution No. 8 - Approving Supplemental Appropriation No. 3 For Fiscal Year 2011-12 for Various Accounts
- Resolution No. 9 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 07-03-312.000 Known as 457 Court Street To Clifford K. Pickett Sr., 225 Mechanic St, Watertown, New York 13601
- Resolution No. 10 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 5-14-103.000 Known as 1543 State Street To Thomas M. Stanley Jr., 8094 Saintsville Road, Kirkville, New York 13082
- Resolution No. 11 - Authorizing Sale of Real Property, Known as 1 Boyd Place to Jeffrey A. Lowe, 2 Boyd Place, Watertown, New York 13601
- Resolution No. 12 - Authorizing Sale of Real Property, Known as 507 Holcomb Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601
- Resolution No. 13 - Authorizing Sale of Real Property, Known as 660 Huntington Street to Eric Michael Moore, 935 Sherman Street, Watertown, New York 13601
- Resolution No. 14 - Authorizing Sale of Real Property, Known as 753 Rear Main Street West to Ruby C. Williams, 223 LeRay Street, Black River, New York 13612
- Resolution No. 15 - Authorizing Sale of Real Property, Known as 729 Morrison Street to James Desormeau, 739 Morrison Street, Watertown, New York 13601
- Resolution No. 16 - Authorizing Sale of Real Property, Known as 611 Olive Street to Thon Vith, 629 Lillian Street, Watertown, New York 13601
- Resolution No. 17 - Authorizing Sale of Real Property, Known as 221 Rutland Street South to David and Lucinda Heinisch, 1247 Minerva Avenue, West Islip, New York 11795

Resolution No. 18 - Authorizing Sale of Real Property, Known as 259 Seymour Street to Cavellier Properties Inc. 16747 Co. Rt. 155, Watertown, New York 13601

Resolution No. 19 - Authorizing Sale of Real Property, Known as 1407 State Street to Chad Johnson, 329 Broadway Avenue West, Watertown, New York 13601

Resolution No. 20 - Authorizing Sale of Real Property, Known as 60 Woodley Street to William Martin, 576 Snell Street, Watertown, New York 13601

ORDINANCES

Ordinance No. 1 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

LOCAL LAW

PUBLIC HEARING

OLD BUSINESS

Ordinance Amending Section A320 of the City Code, Fees

STAFF REPORTS

1. Proposed No Parking Restriction, Jefferson Street
2. VL Huntington St

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY, NOVEMBER 5, 2012.

Res No. 1

October 2, 2012

To: The Honorable Mayor and City Council

From: Sharon Addison, City Manager

Subject: Accepting Bid for Fluoride Feed Replacement System,
Continental Construction

The City Purchasing Department has advertised and received sealed bids for the Fluoride Feed Replacement System at the Water Treatment Plant, per our specifications.

Invitations to bid were issued to Northern New York and Syracuse Builders Exchange, the Dodge Reports and The Contract Reporter. Eight (8) sets of bid specifications and plans were requested by area builders with two (2) sealed bids received and publicly opened and read in the City Purchasing Department on Thursday, September 27, 2012, at 11:00 a.m.

City Purchasing Manager Amy M. Pastuf reviewed the bids received with the consulting engineering firm of Bernier, Carr & Associates, as well as the Water Department and Engineering Department, and it is their recommendation that the City accept the bid from Continental Construction as the lowest qualifying bidder meeting our specifications in the amount of \$73,195.00. Including the fee to Bernier, Carr & Associates for their professional services for bid evaluation of \$12,500, this entire bid is below the budgeted amount of \$100,000. The bids received are outlined in Ms. Pastuf's report, which is attached.

Funding for this project was contained in the 2012-2013 Budget. A resolution for Council consideration is attached.

RESOLUTION

Page 1 of 1

Accepting Bid for Fluoride Replacement System,
Continental Construction

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

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Introduced by

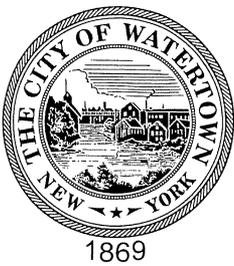
WHEREAS the City Purchasing Department has advertised and received sealed bids for the Fluoride Feed Replacement System at the Water Treatment Plant, per our specifications, and

WHEREAS invitations to bid were issued to Northern New York and Syracuse Builders Exchange, the Dodge Reports and The Contract Reporter, with eight (8) sets of bid specifications and plans requested by area builders with two (2) sealed bids received and publicly opened and read in the City Purchasing Department on Thursday, September 27, 2012, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bids received with the consulting Engineering Firm Bernie, Carr & Associates, as well as the Water Department and Engineering Department, and it is their recommendation that the City Council accept the bid submitted by Continental Construction,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Continental Construction, as the lowest qualifying bidder for the Fluoride Feed Replacement System at the Water Treatment Plant, per our specifications in the amount of \$73,195.00.

Seconded by



CITY OF WATERTOWN, NEW YORK

ROOM 205, CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
E-MAIL APastuf@watertown-ny.gov
Phone (315) 785-7749 Fax (315) 785-7752

Amy M. Pastuf
Purchasing Manager

MEMORANDUM

TO: Sharon Addison, City Manager
FROM: Amy M. Pastuf, Purchasing Manager
SUBJECT: Bid 2012-18 – Water Treatment Plant – Fluoride Feed Replacement System Bid
DATE: 10/1/2012

The City's Purchasing Department advertised in the Watertown Daily Times on August 31, 2012 calling for sealed bids for a Fluoride Feed Replacement System at the Water Treatment Plant as per City specifications. Bid Specifications were filed with the Northern New York and Syracuse Builders Exchange, the Dodge Reports and The Contract Reporter.

The successful bidder will be required to supply all labor, materials, and equipment to perform replacement of a Fluoride Feed System as shown on the contract drawings, specifications, and bidding documents and as directed by the City Engineer. The successful bidder will remove and properly dispose of the existing system as well as provide a temporary system during the replacement process.

Eight (8) sets of bid specifications and plans were requested by area builders. Two (2) sealed bids were submitted to the Purchasing Department. The sealed bids were publically opened and read on Thursday, September 27, 2012 at 11:00 am, local time. The bid tally is provided below:

| | Description | Qty. | Continental Construction | | Hyde-Stone Mechanical | |
|---|----------------------------------|------|--------------------------|-------------|-----------------------|-------------|
| | | | Unit Price | Total Price | Unit Price | Total Price |
| 1 | Fluoride Feed System Replacement | 1 | \$70,695.00 | \$70,695.00 | \$79,700.00 | \$79,700.00 |
| 2 | Unforeseen Conditions Allowance | 1 | | \$2,500.00 | | \$2,500.00 |
| | Total | | | \$73,195.00 | | \$82,200.00 |

The bids were reviewed by the consulting engineering firm of Bernier, Carr and Associates, Water Department, City Engineering and the Purchasing Department to ensure that the bid meets the required specifications. It is recommended that we accept the proposal from Continental Construction for \$73,195.00 as the lowest responsive responsible bid.

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

JOSEPH L. THESIER, P.E.

BERNARD H. BROWN, A.I.A.

RICK W. TAGUE, A.I.A.

PAMELA S. BEYER, A.I.A.

MICHAEL J. HARRIS, A.I.A.,
LEED, A.P.

KRIS D. DIMMICK, P.E., PWLFP

MICHAEL F. PECK, P.L.L.S.

GERALD A. KOSTYK, P.L.S.

MARI L. CEDER, A.I.A., C.S.I.

MICKEY G. LEHMAN, P.E.

MATTHEW J. COOPER, P.E.

JASON S. JANTZI, A.I.A., C.S.I.

MARK B. KIMBALL, P.E.,
LEED GREEN ASSOCIATE

SHAWN M. TRAVERS, R.A.,
LEED GREEN ASSOCIATE

September 28, 2012

**Ms. Amy Pastuf, Purchasing Manager
City of Watertown
245 Washington Street, Room 205
Watertown, New York 13601**

**Re: Fluoride Feed System Replacement Project
BCA Project No. 2011-113**

Dear Ms. Pastuf:

Below, please find the bid tabulation for the bids received Thursday, September 27, 2012 for the City of Watertown, Fluoride Feed System Replacement Project.

| | <u>Bid Price</u> |
|---|-------------------|
| Contract No. 1 – General Construction: | |
| <u>Continental Construction</u> | |
| Total Bid..... | \$ 73,195. |
| <u>Hyde Stone Mechanical</u> | |
| Total Bid..... | \$ 82,200. |

Our opinion of probable construction cost was completed in February 2012 for \$70,000. Since then, a temporary fluoride feed system was added to the scope of the project, at the insistence of New York State Department of Health.

Based upon our past experience with the apparent low bidder, Continental Construction, we take no exception with the City of Watertown entering into a contract with them for this project. Continental's bid price appears in-line for this project, based on our original construction estimate and additional work required for the temporary fluoride feed system.

If you should have any questions or comments, please do not hesitate to contact our office.

Very truly yours,

BERNIER, CARR & ASSOCIATES



Thomas J. Cataldo, P.E.
Project Manager

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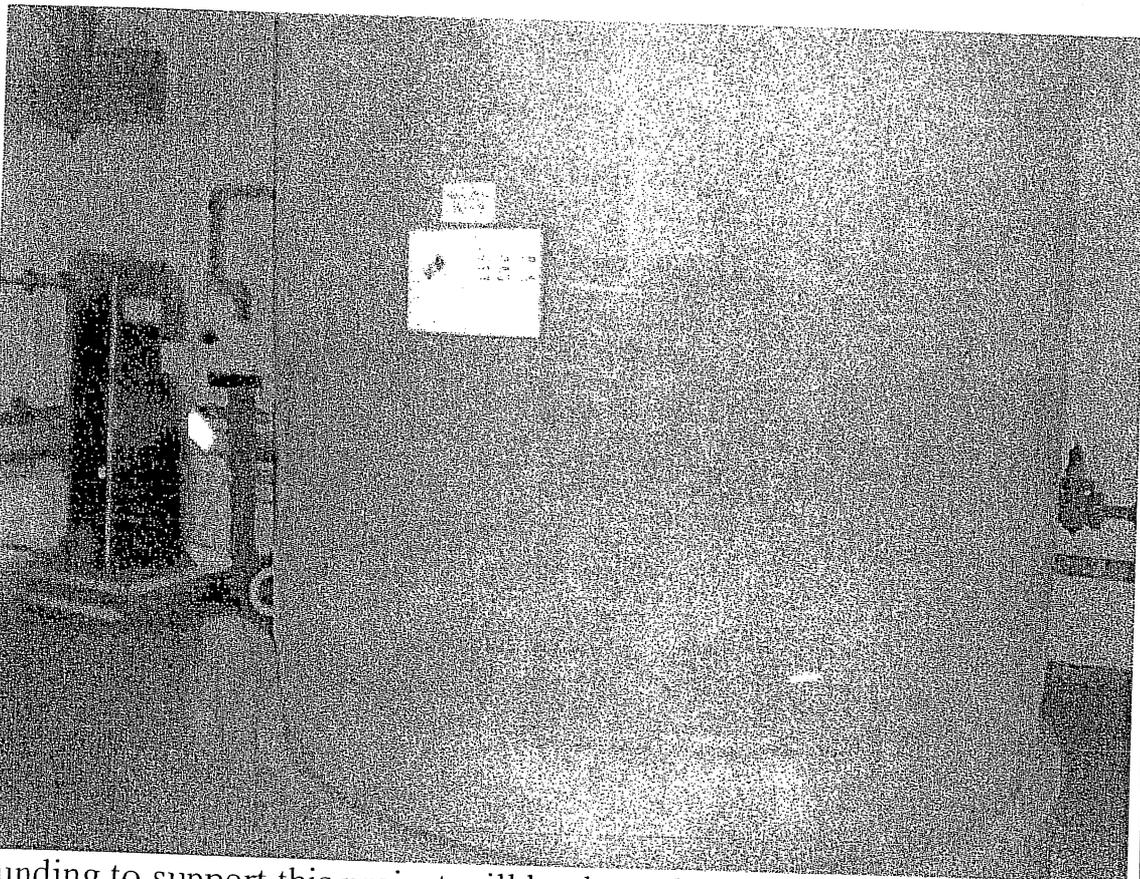


327 MULLIN STREET
WATERTOWN, NY 13601
TEL. (315) 782-8130
FAX (315) 782-7192

Cc: Mr. Michael Sligar, P.E.
Mr. Justin Wood, P.E.
Mr. Brian Gaffney
Mr. Mickey Lehman, P.E.
File

WWW.THEBCGROUP.COM

FISCAL YEAR 2012-2013
 CAPITAL BUDGET
 FACILITY IMPROVEMENTS
 WATER TREATMENT PLANT

| PROJECT DESCRIPTION | COST |
|---|------------------|
| <p>Fluoride System</p> <p>The City of Watertown uses hydrofluorosilicic acid to fluoridate the potable water supply to the City and surrounding area. The existing system consists of a single wall constructed main storage tank and day tank, plus mechanical conveying equipment. To meet recommended standards, the NYS Department of Health requested the City to upgrade the existing tanks to double wall tanks.</p>  <p>Funding to support this project will be through a transfer from the Water Fund (F 9950.0900).</p> | <p>\$100,000</p> |
| TOTAL | \$100,000 |

Res No. 2

October 2, 2012

To: The Honorable Mayor and City Council

From: Sharon Addison, City Manager

Subject: Approving Online Auction Through Auctions International Inc. for Auction of Surplus Vehicles and Equipment

City Staff has determined that we have surplus vehicles and equipment that are no longer useful or beyond repair and therefore no longer of value to the City of Watertown. Staff would like to move forward with selling this excess equipment using the services of Auctions International, Inc. which provides for the online auction of vehicles and equipment.

City Purchasing Manager Amy M. Pastuf believes the online auction will yield the best price for the City of Watertown. Details of the vehicles and equipment to be auctioned are contained in the attached report of Ms. Pastuf.

A contract with Auctions International Inc. was approved by City Council on January 3, 2012, and remains in effect for two years from that date. A copy of the Agreement is attached for your review.

Attached for City Council consideration is a resolution authorizing the City to auction the vehicles and equipment online with Auctions International, Inc.

RESOLUTION

Page 1 of 1

Approving Online Auction Through Auctions International, Inc. for Auction 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 |
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Introduced by

WHEREAS the City of Watertown has determined that they have vehicles and equipment that are excess to the City's needs, and

WHEREAS it is the City's desire to get the best price possible for these vehicles and equipment, and

WHEREAS the City of Watertown has in place a two-year contract with Auctions International, Inc., which conducts online auctions of vehicles and equipment, and

WHEREAS there is no cost to the City, as the fee charged by Auctions International is a 10% buyer's premium,

NOW THEREFORE BE IT RESOLVED by the City Council that it hereby approves the Online Auction with Auctions International, Inc., for the attached list of vehicles and equipment which is made a part of this resolution, and

BE IT FURTHER RESOLVED that the Purchasing Department is authorized to accept the highest offer at time of sale provided the offer meets or exceeds the estimated scrap value.

Seconded by

City ID 1-86; VIN 2FTHF25Y9RCA10687

1994 Ford F250, 6-cylinder, automatic, 4x2 pickup. 115,000 miles. Vehicle has body damage and a large amount of deterioration to the cab and box. This truck was formerly used as a sander for the past few years.



City ID 1-126; VINC584501

1978 Ford 515C diesel tractor with loader and cab. The vehicle was originally assigned to Thompson Park and was replaced by a newer unit and was recently used by the Buildings and Grounds division. Since purchasing of the all purpose BOBCAT ToolCat machine, it is excess to their needs.



City ID 3-20; VIN1GCFG35Z0J7175999

1988 Chevrolet 3500 van, V-6, automatic. This van was originally used by City Engineering. When it was surplus to their needs it was used by the sidewalk replacement program. The van was then used by the summer field crews at Parks and Recreation. It is now surplus to their needs. Body has considerable deterioration.



Mower Deck

48” mower deck for JD425 riding tractor



JD brush cutter

Brush cutter has damaged gear box and the cost of repair exceeds the value of the implement. This item was purchased in 1994 with one of the John Deere compact tractors that have since been replaced.



Power Hack saw

Power hack saw that is surplus to the City’s needs



Surplus tires

Fifty two (52) 235/55R/17 police car “summer” tires. Nearly new. Whatever we get for these tires will be cheaper than tire disposal fee of \$3.00 per tire. Tires located as PSB garage.

City ID 8-9; VIN 1GCGK24K3KE172724

1989 Chevrolet 2500, 4x4, v-8, auto, with Myers plow. Unit was purchased for use by the Fire Department to maintain the various stations in the winter and carry materials to fire scenes as needed. The truck has considerable body deterioration and the plow is basically not functional. The truck frame was repaired two years ago so it would pass New York State inspection.



City ID 4-6; Jacobsen Mower S/N: 6613802034

1996 Jacobsen T428D front mounted mower assigned to Thompson Park. It is non-functional. The cost of repairs to the front transaxle assembly (\$5000.00) far exceeds the value of the machine per the dealer. The machine is equipped with a cab for winter snow blower use and will be sold with the machine. The snow blower will be retained.



City ID 11-15; VIN 1FTRE1426YHB66291

2001 Ford E150 van assigned to the Waste Water Treatment plant. The vehicle has been replaced by a utility vehicle that better fits the needs of the plant. The body is in poor condition with a great deal of corrosion. There is an issue with engine oil in the coolant system.



Jacobsen front mounted mower

Jacobsen front mounted mower. Machine has a snow blower and cab. It is not operational. This mower was transferred from Thomson Park to the WWTP when the Park received a new mower over ten years ago. Age is unknown.



City ID # 1-90; VIN 1GCCGK24K9ME107069

1991 Chevrolet 2500 4x4 pickup with Reading truck cap. 350 v-8, automatic 62,000 miles. The truck has extensive corrosion to the cab floors, rocker panels, fenders and seat attaching points. The truck was originally a Water Department vehicle until 2002 when Public Works acquired it and used it for its lateral inspection and cleaning equipment vehicle. When the City took possession of new para-transit buses in 2010, a 2006 para-transit bus was transferred to the sewer division to house the equipment for lateral inspections and cleaning. This truck then became surplus to the City' needs.



ONLINE AUCTION CONTRACT - AGREEMENT FOR SALE OF GOVERNMENT ASSETS BY ONLINE AUCTION

This Agreement made on 1/19/2012, between City of Watertown, hereafter called "Seller", and Auctions International, Inc., 808 Borden Road, Cheektowaga, NY 14227, hereafter called "Auctioneer":

The Auctioneer hereby agrees to use professional skill, knowledge, and experience to the best advantage of both parties in preparing for and conducting the sale. All auction items will be sold "As-Is, Where-Is", subject to the Seller's terms.

The Seller agrees to provide Titles, Keys and all other Proof of Ownership to customers who present a paid invoice from Auctions International, and release the purchased items once the Auctioneer has received full payment for the goods listed below (and described in detail on provided condition reports, and/or provided by electronic means to Auctioneer).

GOVERNMENT VEHICLES, MACHINERY, EQUIPMENT AND ALL OTHER SURPLUS ASSETS

The Seller agrees to provide merchantable title (with no liens or encumbrances) for motor vehicles, and agrees to write-in the purchase information on the back of any titles issued to purchasers (as required by law). The Seller furthermore agrees not to sell listed merchandise before the term of the online auction is complete, under any circumstances.

The Auction is to be held online at www.AuctionsInternational.com, beginning and closing on mutually agreed dates and times. The terms and prices of this contract shall remain in effect for two (2) years after the agreement is executed, based on the needs of the Seller. Notwithstanding the foregoing, the Seller may terminate this contract at any time for convenience.

It is agreed that all listed merchandise be sold to the highest bidder, "as-is", "where-is", with no warranty expressed, implied or otherwise, and with the Government Seller retaining the right to reject any bids that are insufficient. Seller agrees to specify a minimum acceptable price on each rejected bid, which will be posted on the 'Past Prices' page of the Auctioneer's website.

Purchaser(s) will be required to pay a 10% buyer premium, added to the successful high bid prices, which will constitute the Auctioneer's compensation for these services.

The Auctioneer will conduct auction(s) at no-cost to the Seller, provided the Seller takes photos and descriptions of the merchandise, and provides this information to the Auctioneer's staff. The Auctioneer reserves the right to combine low-value merchandise into larger online auction lots as necessary, based on past experience with such items.

If requested by the Seller, the Auctioneer's staff will travel to the Seller's facilities to obtain photos and condition reports of the Seller's items, for the following listing fees: Thirty dollar (\$30) fee for each vehicle, and Five dollar (\$5) fee for each auction lot that is not a motor vehicle. These listing fees will be deducted from the sale proceeds, before final payment is made to Seller.

The Auctioneer will mail a check to the Seller for all proceeds collected within fifteen (15) business days after the Seller approves the bids for the sale items, along with an accounting summary and copies of receipts. In the event of a bidder's refusal or failure to pay for their invoiced items, the Auctioneer will offer the unsold merchandise to the backup bidder, and the renege bidder will be banned from all future auctions. If the backup bidder does not take the merchandise for the backup bid price, then the merchandise will revert back to possession of the seller, after a reasonable time has been allowed for the backup bidder to get their payment to the Auctioneer. At the request of the Seller, any unsold merchandise can be re-listed in a future online auction.

INDEPENDENT STATUS. That during the existence of this agreement, the Auctioneer shall remain an individual, independent contractor, retaining it's separate identity and shall in no way be considered a division, department or agent of the Seller's agency or organization.

WAIVER. No waiver of any breach of any condition of the agreement shall be binding unless in writing and signed by the party waiving said breach. No such waiver shall in any way affect any other term or condition of this agreement or constitute a cause or excuse for a repetition of such or any other breach unless the waiver shall include the same.

ENTIRE AGREEMENT. This Agreement constitutes the entire agreement among the parties with respect to the subject matter of this Agreement, and supersedes any and all prior understandings and agreements, whether written or oral, and all prior dealings of the parties with respect to the subject matter of this Agreement.

(x) Mary Corriveau Mary M. Corriveau
Seller's Authorizing Signature Printed Name and Agency Title 315-785-7730
Telephone Number

(x) City of Watertown, 245 Washington Street, Watertown, NY 13601
Seller's Agency Payment Address (Check will be made out and mailed to Seller, from Auctioneer, for payments received)

(x) Rose Schekker Rose Schekker
Auctioneer's Signature Auctioneer's Printed Name



CITY OF WATERTOWN, NEW YORK

ROOM 205, CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
E-MAIL APastuf@watertown-ny.gov
☎ (315) 785-7749 ☎ (315) 785-7752

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: 10/1/2012

The Purchasing Department is requesting City Council's permission to auction surplus vehicles and equipment from Public Works through the Auctions International on-line website. The Public Works department has determined that the vehicles and equipment 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.

Thank you for your consideration in this matter.

Copy: Jim Mills, City Comptroller
Eugene Hayes, Superintendent of Public Works

Enclosures

Res No. 3

October 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving the Site Plan for Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122

A request has been submitted by Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, for the above subject site plan approval. The Planning Board reviewed the request at its September 4th and October 2nd meetings, and voted to recommend approval at the latter.

Attached are copies of the reports on the request prepared for the Planning Board and excerpts from the minutes for the two relevant meetings.

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 site plan submitted to the City Engineering Department on September 20, 2012 with the conditions recommended by the Planning Board.

RESOLUTION

Page 1 of 2

Approving the Site Plan for the Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122.

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 |
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Introduced by

WHEREAS Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, has made an application for site plan approval for a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on September 4, 2012 and October 2, 2012, and at the latter meeting voted to recommend that the City Council of the City of Watertown approve the site plan submitted on September 20, 2012 with the following conditions:

- 1) The applicant shall replace the sidewalk and apron across the Sherman Street driveway per City standards.
- 2) The applicant shall call out removal of the existing driveway apron and replacement with topsoil and seed.
- 3) The applicant shall provide sidewalk and driveway details per City specifications. Inquire with the Engineering Department for details.
- 4) The applicant shall provide pre- and post-development drainage calculations and maps.
- 5) The applicant shall provide a stormwater design plan and details.
- 6) The proposed tree species shall be selected from the "Large Deciduous Trees" list in the Landscaping and Buffer Zone Guidelines and they shall be diversified on the plan so that no one species constitutes more than 25% of the total.
- 7) The landscaping plan shall be modified to provide a selection of shrubs that have a mature height of at least three feet to be located in planting beds in between the trees.

RESOLUTION

Page 2 of 2

Approving the Site Plan for the Construction of a 9,379 Square Foot Paved Parking Area at 203 Clinton Street, Parcel 10-08-122.

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 |
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- 8) The applicant shall provide a wet-stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50’ of the property, and within the Clinton Street and Sherman Street rights-of-way.

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 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 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

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 site plan approval is hereby granted to Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, for a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122, as submitted to the City Engineer on September 20, 2012, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

Seconded by

Pedestrians: The applicant proposes to use the Sherman Street public sidewalk for circulation between the proposed lot and the existing office building. This sidewalk is in acceptable condition.

The sidewalk crossing the Sherman Street driveway is even but cracked. The applicant must replace the sidewalk and apron across the driveway per City standards. The applicant must provide a detail of the curb cut and sidewalk.

Lighting: Two light poles are shown at the east and west edges of the lot. The one at the west edge is quite close to the neighboring residence. However, the applicant's photometry shows that the 0.5 foot candle threshold is almost met at this property line. A longer neck on the light pole could improve the situation, but need not be a condition of approval.

Drainage & Grading: The lot will be graded into a bowl shape, with a catch basin in the center of the lot. The applicant must provide pre- and post-construction drainage calculations. The storm sewer along Sherman Street must be depicted with rim and invert elevations.

Landscaping: The landscaping plan has been revised slightly but the landscaping layout still does not quite conform to the Landscaping and Buffer Zone Guidelines. At the spacing shown on the plans, the proposed tree species should be selected from the "Large Deciduous Trees" list in the guidelines. The applicant should further diversify the tree plantings on the plan so that no one species would constitute more than 15% of plantings.

The Landscaping and Buffer Zone Guidelines also recommend the planting of shrubs in between the trees for screening, where parking lots abut the street right-of-way. The plan shows Blue Rug Juniper shrubs in between the trees, which is a low growing shrub that will provide no real screening. The plan should be modified to provide shrubs with a mature height of at least three feet that are located in planting beds in between the trees. The shrub plantings should also be diversified.

Miscellaneous: The applicant must provide a stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50' of the property and within the Clinton Street and Sherman Street rights-of-way.

The applicant must obtain the following permits prior to construction: Sanitary Sewer Permit, Water Permit, Demolition Permit, and General City Permit for work in the right-of-way.

Summary:

1. Site Plan approval shall be conditioned on the applicant receiving Zone Change and Special Use Permit approvals, if that has not already occurred.
2. The applicant shall replace the sidewalk and apron across the Sherman Street driveway per City standards.
3. The applicant shall call out removal of the existing driveway apron and replacement with topsoil and seed.
4. The applicant shall provide sidewalk and driveway details per City specifications. Inquire with the Engineering Department for details.
5. The applicant shall provide pre- and post-development drainage calculations and maps.
6. The applicant shall provide a stormwater design plan and details.
7. The proposed tree species shall be selected from the "Large Deciduous Trees" list in the Landscaping and Buffer Zone Guidelines and they shall be diversified on the plan so that no one species constitutes more than 15% of the total
8. The landscaping plan shall be modified to provide a diversified selection of shrubs that have a mature height of at least three feet to be located in planting beds in between the trees.

9. The applicant shall provide a wet-stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50' of the property, and within the Clinton Street and Sherman Street rights-of-way.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Brian Jones, Aubertine & Currier, 522 Bradley Street



MEMORANDUM

CITY OF WATERTOWN 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: Site Plan Approval – 203 Clinton Street Parking Lot

DATE: August 29, 2012

Request: Site Plan Approval for the construction of an 8,089 square foot paved parking area at 203 Clinton Street, parcel 10-08-122

Applicant: Brian Jones, Aubertine & Currier

Proposed Use: Parking for a nearby medical office

Property Owner: RCAN, LLC

| | |
|---|--|
| Submitted: | |
| Property Survey: No | Preliminary Architectural Drawings: No |
| Site Plan: Yes | Preliminary Site Engineering Plans: No |
| Vehicle and Pedestrian Circulation Plan: No | Construction Time Schedule: No |
| Landscaping and Grading Plan: No | Description of Uses, Hours & Traffic Volume: Yes |

SEQRA: Unlisted

County Review: No

| | |
|--|---|
| Zoning Information: | |
| District: Residence A | Maximum Lot Coverage: 30% |
| Setback Requirements: 20' front, 5' side, 25' rear | Buffer Zone Required: 5-15' along S and W lines |

Project Overview: The applicant is requesting approval of plans for the construction of an 8,089 square foot parking lot on the site of an existing vacant house. The house would be demolished.

The owner plans to use the lot in conjunction with their nearby medical office building at 316 Sherman Street. The lot is currently zoned Residence A, and thus cannot be used for the proposed purpose without a zone change to Limited Business, which has been applied for concurrently.

Further, because the project parcel and the applicant's office parcel are not adjacent, this lot would be considered a remote/accessory parking area requiring a Special Use Permit as interpreted from §310-51. The applicant has also submitted a concurrent Special Use Permit request.

Parking: The 1972 office building is approximately 5,500 square feet, with only 18 parking spaces. Construction of this lot would alleviate this parking deficit (28 spaces would be required under current regulation).

The parking lot entrance relies on access via the neighboring parcel owned by the Knights of Columbus. The applicant must record an easement for access across this parcel with the County Clerk, and provide a copy to the City Engineer.

Pedestrians: The applicant proposes to use the Sherman Street public sidewalk for circulation between the proposed lot and the existing office building. This sidewalk is in acceptable condition.

The sidewalk crossing the Sherman Street driveway is even but cracked. The applicant must replace the sidewalk and apron across the driveway per City standards. The applicant must provide a detail of the curb cut and sidewalk.

Lighting: Two light poles are proposed at the northeast and northwest corners of the parking lot. The applicant has not provided information regarding their height and configuration. The applicant must submit a photometric plan for review, ensuring that spillage across property lines does not exceed 0.5 foot candles at ground level. The applicant should also include a detail for the light poles and fixtures.

Drainage & Grading: No grading is shown. The applicant depicts a catch basin at the center of the lot, which will be tied into the City storm sewer system. The applicant must include a stormwater design plan and details.

The applicant must provide a grading plan showing existing and proposed contours, and provide pre- and post-development drainage calculations and maps.

Water: No new water service is proposed, but existing service will have to be removed. The applicant must depict the existing water service and call out for cutting and capping at the margin per City standards.

The applicant must add the following note: "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."

Sewer: The applicant must depict the existing sanitary sewer lines and call out for cutting and capping per City standards.

Landscaping: The applicant has proposed a landscaping layout that generally conforms to the Landscaping and Buffer Zone Guidelines. The perimeter of the lot has honeylocust trees planted every 40' minimum, with shrubbery in between. However, no detail has been provided regarding the proposed species, sizes or quantities of the shrubs. Additionally, all nine proposed trees are the same species of honeylocust. The applicant should include at least three different species in the plantings, and ideally no species would constitute more than 15% of plantings.

The applicant is removing two large trees; two existing trees near the western property line are to be saved, however they both appear to be in poor health.

Miscellaneous:

The applicant must provide a stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50' of the property and within the Clinton Street and Sherman Street rights-of-way.

The applicant must provide an Asphalt Paving Detail.

The applicant must obtain the following permits prior to construction: Sanitary Sewer Permit, Water Permit, Demolition Permit, and General City Permit for work in the right-of-way.

Summary:

1. The applicant shall acquire the appropriate change of zoning and Special Use Permit prior to issuance of a building permit.
2. The applicant shall acquire an easement for access to the parking lot across 312 Sherman Street, parcel 10-08-123, to be recorded with the County Clerk, and provide a copy to the City Engineer.
3. The applicant shall replace the sidewalk and apron across the Sherman Street driveway per City standards, and provide a detail for this work on the plans.
4. The applicant shall provide a photometric plan ensuring that spillage across property lines is limited to a maximum 0.5 foot candles at ground level, and provide details for the light poles and fixtures.
5. The applicant shall provide a grading plan showing existing and proposed contours, and provide pre- and post-development drainage calculations and maps.
6. The applicant shall provide a stormwater design plan and details.
7. The applicant shall depict the existing water service and call out for cutting and capping at the margin per City standards.
8. The applicant shall add the following note: "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."
9. The applicant shall depict the existing sanitary sewer lines and call out for cutting and capping per City standards.
10. The applicant shall submit a complete landscaping plan that includes detailed information on the proposed shrubbery and diversifies the species of tree plantings to the greatest extent feasible, ideally such that no species accounts for more than 15% of plantings.
11. The applicant shall provide a wet-stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50' of the property, and within the Clinton Street and Sherman Street rights-of-way.
12. The applicant shall provide an Asphalt Paving Detail.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Brian Jones, Aubertine & Currier, 522 Bradley Street

August 21, 2012

Kurt W. Hauk, P.E.
City Engineer
Room 305, City Hall
245 Washington Street
Watertown, NY 13601

**Re: Site Plan Review Application
RCAN LLC
(A&C Project #2012-087.001)
203 Clinton Street, Watertown, NY**

Dear Mr. Hauk:

Aubertine and Currier Architects, Engineers & Land Surveyors, PLLC on behalf of RCAN LLC is requesting to be included on the agenda for the next City of Watertown Planning Board meeting for Site Plan review for a parking lot construction, located at 203 Clinton Street. Attached are four (4) copies of the Site Plan. Twelve (12) additional copies of the plan have been provided on 11"x17". Site Plan Application and Short EAF are also attached, with a check for \$50.00 for the review fee.

RCAN LLC is the owner of Innovative Physical Therapy located at 316 Sherman Street. They provide physical therapy services. Currently the company has limited parking for its clients and employees. They also have a lease agreement for the neighboring Knights of Columbus property (312 Sherman Street) to utilize their parking facilities during business hours. RCAN recently purchased the 203 Clinton Street property and will be demolishing the vacant 2 story residence. The property is located adjacent to the Knights of Columbus. The owner intends to utilize the existing 12,980 s.f. property for customer/employee parking.

The project will include 8,089 s.f. of asphalt parking with 19 parking spaces. Landscaping buffer areas and exterior parking lighting will also be added. The owner also wishes to keep as many existing trees on the property as possible. As part of this project, new drainage via a catch basin will be added and tied into the city's storm water system. An electrical pedestal will also be added on the property for the exterior lighting. The existing curb cut on Clinton Street will be closed off with only the existing curb cut on Sherman Street to be used.

The owner intends to begin construction as soon as approvals are granted.

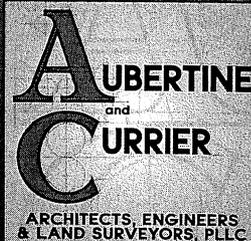
Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,
Aubertine and Currier Architects, Engineers & Land Surveyors, PLLC



Brian A Jones
Architect

Attachments
Cc: Cheryl Howard, RCAN LLC



516 Bradley Street
Watertown, New York 13601

aubertinecurrier.com

Phone: 315.782.2005

Fax: 315.782.1472

Managing Partners

Michael L. Aubertine, R.A.
Architect

Patrick J. Currier, R.A.
Architect

Partners

Brian A. Jones, R.A., AIA
Architect

Matthew R. Morgia, P.E.
Civil Engineer

Jayson J. Jones, P.L.S.
Land Surveyor



Excerpt from the Minutes – Planning Board 10/2/2012

**SITE PLAN APPROVAL – RCAN LLC
203 CLINTON ST – PARCEL 10-08-122**

The Planning Board then considered a tabled request for site plan approval submitted by Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, for construction of a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122.

Cheryl Howard of RCAN LLC and Michael Aubertine of Aubertine & Currier were in attendance to represent the project.

Mrs. Howard began by stating that they have submitted revised plans for the parking lot which changes the layout slightly. She said the new design allows for more parking spaces but maintains a buffer along the sidewalk. She said the driveway access on Sherman St. was also moved to the north so that an easement would not be required from the neighboring property owner.

Mrs. Howard asked for clarification on summary item #2 regarding sidewalk replacements. Mr. Wood stated that the plans need to call out replacement per City specs for the area where the sidewalk crosses the new entrance. Mr. Wood noted that #4 can be fulfilled by using the City's published standard details.

Mrs. Howard then asked about the 15% species count rule noted in item #7. She worried all eight proposed trees would have to be a different species in order to comply. Mr. Lumbis noted that the 15% is a guideline, and using 4 different species or 25% diversity would be sufficient.

Mrs. Howard also questioned the recommendation to diversify the shrub plantings and asked if #8 could be changed to allow for a hedge of uniform species. She thought that a uniform look would look better than a number of different shrub species.

Mrs. Freda said that this is also a guideline and a uniform look should be acceptable as long as the selected species is appropriate to provide adequate screening to the parking lot. The species should not be low growing ground cover as currently proposed, but something that grows to at least three feet in height to help block the view of the parking lot. Regarding the landscaping requirement, she then questioned if the language of the conditions should be stronger, since no building permit or certificate is needed for the project.

Mr. Katzman made a motion to recommend that City Council approve the site plan submitted by Brian Jones of Aubertine & Currier, on behalf of RCAN LLC, for construction of a 9,379 square foot paved parking area at 203 Clinton Street, parcel 10-08-122, with the following conditions:

1. The applicant shall replace the sidewalk and apron across the Sherman Street driveway per City standards.

2. The applicant shall call out removal of the existing driveway apron and replacement with topsoil and seed.
3. The applicant shall provide sidewalk and driveway details per City specifications. Inquire with the Engineering Department for details.
4. The applicant shall provide pre- and post-development drainage calculations and maps.
5. The applicant shall provide a stormwater design plan and details.
6. The proposed tree species shall be selected from the “Large Deciduous Trees” list in the Landscaping and Buffer Zone Guidelines and they shall be diversified on the plan so that no one species constitutes more than 25% of the total.
7. The landscaping plan shall be modified to provide a selection of shrubs that have a mature height of at least three feet to be located in planting beds in between the trees.
8. The applicant shall provide a wet-stamped and signed copy of the boundary and topographic survey. The survey must include all above and below surface features within 50’ of the property, and within the Clinton Street and Sherman Street rights-of-way.

Mr. Davis seconded, all voted in favor.

Excerpt from the Minutes – Planning Board 9/4/2012

**SITE PLAN APPROVAL – RCAN LLC
201 CLINTON STREET – PARCELS 10-08-122**

The Board then considered a request for Site Plan Approval submitted by Brian Jones of Aubertine and Currier on behalf of RCAN LLC for construction of an 8,089 square foot paved parking area at 203 Clinton Street, parcel 10-08-122.

Mrs. Freda stated that based on previous discussion it would be appropriate to table this application until the applicant resubmits with the summary items addressed, including preliminary engineering work.

Mr. Davis stated that he is concerned with the buffer size due to the close proximity of the western neighbor.

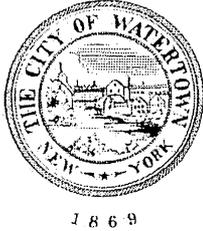
Mrs. Gervera said that she does not think the full 15' is needed. The existing driveway is right on the line, so any buffer is an improvement.

Mrs. Freda polled the Board regarding the setback. The Board agreed that 5' of buffer was sufficient on the west.

Mrs. Freda asked if the additional spaces were needed for RCAN's operations. Ms. Howard stated that they are, with 15 full-time staff the existing capacity is strained.

Mrs. Gervera moved to table the application until the next regularly scheduled meeting, to allow the applicant time to address summary items from the Staff Report and complete preliminary engineering designs.

Mr. Coburn 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: RCAN, LLC - Parking Lot Construction

Tax Parcel Number: 10-08-122

Property Address: 203 Clinton Street, Watertown, NY

Existing Zoning Classification: Residential-A

OWNER OF PROPERTY

Name: RCAN, LLC

Address: 316 Sherman Street

Watertown, NY 13601

Telephone Number: 315-786-0655

Fax Number: _____

APPLICANT

Name: Brian A. Jones, AIA, LEED AP BD+C, Aubertine and Currier, PLLC

Address: 522 Bradley Street

Watertown, NY 13601

Telephone Number: 315-782-2005

Fax Number: 315-782-1472

Email Address: baj@aubertinecurrier.com

ENGINEER/ARCHITECT/SURVEYOR

Name: Brian A. Jones, AIA, LEED AP BD+C, Aubertine and Currier, PLLC

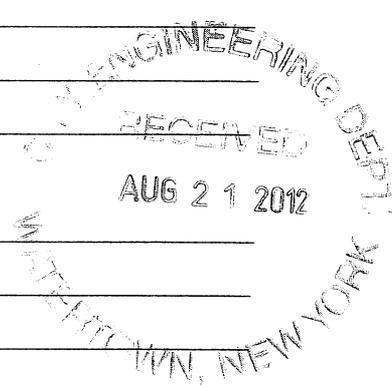
Address: 522 Bradley Street

Watertown, NY 13601

Telephone Number: 315-782-2005

Fax Number: 315-782-1472

Email Address: baj@aubertinecurrier.com



PROJECT DESCRIPTION

Describe project and proposed use briefly:

Existing .29 acre parcel will have existing 2 story vacant
residence demolished. New parking lot to be constructed with
landscaping buffer.

Is proposed Action:

New Expansion Modification/Alteration

Amount of Land Affected:

Initially: .29 Acres Ultimately: .29 Acres

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

Yes No If no, describe briefly

Parking lot is not an allowed use for Residential-A.

What is present land use in vicinity of project?

Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe: Adjacent property is zoned limited - business.

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)

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): N/A

Proposed building area: 1st Floor _____ Sq. Ft.
2nd Floor _____ Sq. Ft.
3rd Floor _____ Sq. Ft.
Total 0 Sq. Ft.

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

Number of parking spaces proposed: 19

Construction Schedule: Fall 2012

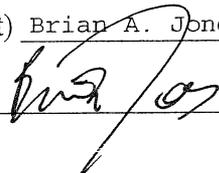
Hours of Operation: 9am - 5pm, Monday - Friday

Volume of traffic to be generated: 20 ADT

SIGNATURE

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

Applicant (please print) Brian A. Jones, AIA, LEED AP BD+C

Applicant Signature  Date: 08/21/2012

OPTIONAL DRAWINGS:

- PROVIDE AN ELECTRONIC (.DWG) COPY OF THE SITE PLAN WITH AS-BUILT REVISIONS. This will assist the City in keeping our GIS mapping up-to-date.

REQUIRED DRAWINGS:

** The following drawings with the listed information **ARE REQUIRED, NOT OPTIONAL**. If the required information is not included and/or addressed, the Site Plan Application will **not** be processed.

- ELECTRONIC COPY OF ENTIRE SUBMISSION** (PDF preferred)

(Partial)

- BOUNDARY & TOPOGRAPHIC SURVEY**

(Depict existing features as of the date of the Site Plan Application. This Survey and Map must be performed and created by a Professional Land Surveyor licensed and currently registered to practice in the State of New York. This Survey and Map must be stamped and signed with an original seal and signature on at least one copy, the rest may be copies thereof. (Topography is underway - Estimated Completion is 09-04-2012)

- All elevations are National Geodetic Vertical Datum of 1929 (NGVD29).

- 1' contours are shown & labeled with appropriate spot elevations.

- All existing features on and within 50 feet of the subject property are shown and labeled.

- All existing utilities on and within 50 feet of the subject property are shown and labeled.

- All existing easements and/or right-of-ways are shown and labeled.

- Existing property lines (bearings & distances), margins, acreage, zoning, existing land use, reputed owner, adjacent reputed owners & tax parcel numbers are shown and labeled.

- The north arrow & graphic scale are shown.

- DEMOLITION PLAN** (If Applicable)

- All existing features on and within 50 feet of the subject property are shown and labeled.

- All items to be removed are labeled in darker text.

SITE PLAN

- All proposed above ground features are depicted and clearly labeled.
- All proposed features are clearly labeled "proposed".
- All proposed easements & right-of-ways are shown and labeled.
- Land use, zoning, & tax parcel number are shown.
- The Plan is adequately dimensioned including radii.
- The line work & text for all proposed features is shown darker than existing features.
- All vehicular & pedestrian traffic circulation is shown including a delivery or refuse vehicle entering and exiting the property.
- Proposed parking & loading spaces including ADA accessible spaces are shown and labeled.
- N/A
- Refuse Enclosure Area (Dumpster), if applicable, is shown. Section 161-19.1 of the Zoning Ordinance states, "No refuse vehicle or refuse container shall be parked or placed within 15 feet of a party line without the written consent of the adjoining owner, if the owner occupies any part of the adjoining property".
- The north arrow & graphic scale are shown.

GRADING PLAN (Will be provided once topography survey is complete.)

- All proposed below ground features including elevations & inverts are shown and labeled.
- All proposed above ground features are shown and labeled.
- The line work & text for all proposed features is shown darker than existing features.
- All proposed easements & right-of-ways are shown and labeled.
- 1' existing contours are shown dashed & labeled with appropriate spot elevations.
- 1' proposed contours are shown & labeled with appropriate spot elevations.
- All elevations are National Geodetic Vertical Datum of 1929 (NGVD29).

- Sediment & Erosion control are shown & labeled on the grading plan unless separate drawings have been provided as part of a Stormwater Pollution Prevention Plan (SWPPP).
- UTILITY PLAN** (Will be provided once topography survey is complete.)
- All proposed above & below ground features are shown and labeled.
- All existing above & below ground utilities including sanitary, storm water, water, electric, gas, telephone, cable, fiber optic, etc. are shown and labeled.
- All proposed easements & right-of-ways are shown and labeled.
- The Plan is adequately dimensioned including radii.
- The line work & text for all proposed features is shown darker than existing features.
- The following note has been added to the drawings stating, "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supersede all other plans and specifications provided."
- LANDSCAPING PLAN** Part of site plan.
- All proposed above ground features are shown and labeled.
- All proposed trees, shrubs, and other plantings are shown and labeled.
- All proposed landscaping & text are shown darker than existing features.
- All proposed landscaping is clearly depicted, labeled and keyed to a plant schedule that includes the scientific name, common name, size, quantity, etc.
- For additional landscaping requirements where nonresidential districts and land uses abut land in any residential district, please refer to Section 310-59, Landscaping of the City's Zoning Ordinance.
- Site Plan complies with and meets acceptable guidelines set forth in Appendix A - Landscaping and Buffer Zone Guidelines (August 7, 2007).**
- PHOTOMETRIC PLAN** (If Applicable)
- All proposed above ground features are shown.
- Photometric spot elevations or labeled photometric contours of the property are clearly depicted. Light spillage across all property lines shall not exceed 0.5 foot-candles.

CONSTRUCTION DETAILS & NOTES

(Will be provided once topography survey is complete.)

- All details and notes necessary to adequately complete the project including, but not limited to, landscaping, curbing, catch basins, manholes, water line, pavement, sidewalks, trench, lighting, trash enclosure, etc. are provided.
- Maintenance & protection and traffic plans & notes for all required work within City streets including driveways, water laterals, sanitary laterals, storm connections, etc. are provided.
- The following note must be added to the drawings stating:
“All work to be performed within the City of Watertown margin will require sign-off from a Professional Engineer, licensed and currently registered to practice in the State of New York, that the work was built according to the approved site plan and applicable City of Watertown standards. Compaction testing will be required for all work to be performed within the City of Watertown margin and must be submitted to the City of Watertown Codes Department.”

PRELIMINARY ARCHITECTURAL PLANS (If Applicable) ^{N/A}

- Floor plan drawings, including finished floor elevations, for all buildings to be constructed are provided.
- Exterior elevations including exterior materials and colors for all buildings to be constructed are provided.
- Roof outline depicting shape, slope and direction is provided.

ENGINEERING REPORT

(Will be provided once topography survey is complete.)

**** The engineering report at a minimum includes the following:**

- Project location
- Project description
- Existing & proposed sanitary sewer flows & summary
- Water flows & pressure
- Storm Water Pre & Post Construction calculations & summary
- Traffic impacts
- Lighting summary
- Landscaping summary

GENERAL INFORMATION

ALL ITEMS ARE STAMPED & SIGNED WITH AN ORIGINAL SIGNATURE BY A PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR SURVEYOR LICENSED AND CURRENTLY REGISTERED TO PRACTICE IN THE STATE OF NEW YORK.

N/A

If required, a copy of the Stormwater Pollution Prevention Plan (SWPPP) submitted to the NYSDEC will also be sent to the City of Watertown Engineering Department.

N/A

** If required, a copy of all submittals sent to the New York State Department of Environmental Conservation (NYSDEC) for the sanitary sewer extension permit will also be sent to the City of Watertown Engineering Department.

N/A

** If required, a copy of all submittals sent to the New York State Department of Health (NYSDOH) will also be sent to the City of Watertown Engineering Department.

** When NYSDEC or NYSDOH permitting is required, the property owner/applicant shall retain a licensed Professional Engineer to perform inspections of the proposed utility work and to certify the completed works were constructed in substantial conformance with the approved plans and specifications.

Signage will not be approved as part of this submission. It requires a sign permit from the Codes Department. See Section 310-52.2 of the Zoning Ordinance.

Plans have been collated and properly folded.

If an applicant proposes a site plan with multiple buildings and any of those buildings front on a private drive, the City Council will name the private drive by resolution and the building(s) will be given an address number on that private drive by City staff. The applicant may propose a name for the private drive for the City Council's consideration.

Proposed Street Name: _____

Explanation for any item not checked in the Site Plan Checklist.

At this time in the submission period our office has not completed the topography survey. I was encourage to submit what we had for the September meeting.

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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? 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 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)

Res No. 4

October 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106

A request has been submitted by Patrick Scordo of GYMO, on behalf of Guilfoyle Ambulance Service, for the above subject site plan approval. The Planning Board reviewed the request at its October 2, 2012 meeting.

At that meeting, the Planning Board adopted a motion recommending that the City Council approve the site plan as submitted. Attached are a copy of the report on the request prepared for the Planning Board and an excerpt from its minutes.

The Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion that the project does not have any county-wide or inter-municipal issues, and is of local concern only.

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 site plan submitted to the City Engineering Department on September 11, 2012.

RESOLUTION

Page 1 of 2

Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106

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

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Introduced by

WHEREAS Patrick Scordo of GYMO PC, on behalf of Guilfoyle Ambulance Service, has made an application for site plan approval for construction of an asphalt access road with landscaping at 1291 Faichney Drive, parcel 8-40-106, and

WHEREAS the Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on October 2, 2012, and recommended that the City Council of the City of Watertown approve the site plan as submitted, 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 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 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

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

RESOLUTION

Page 2 of 2

Approving the Site Plan for Construction of an Asphalt Access Road with Landscaping at 1291 Faichney Drive, Parcel 8-40-106

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

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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 site plan approval is hereby granted to Patrick Scord of GYMO PC, on behalf of Guilfoyle Ambulance Service, for an asphalt access road and landscaping at 1291 Faichney Drive, parcel 8-40-106, as submitted to the City Engineer on September 11, 2012.

Seconded by

Drainage & Grading: The area in the vicinity of the new driveway will be filled to raise the grade as much as 4' above the existing. The downward slope towards the apartments neighboring to the south will become slightly steeper. Rip-rap and erosion blankets will be used to stabilize the slope.

Water: A 12" water line runs along the western face of the building. In 1992, an addition was constructed which substantially raised the grade above the water line, and located a new foundation quite close to the pipe. Currently, the water line is ~15 feet deep and probably within 5' of the building's southwest corner. The construction of the driveway may exacerbate the situation by adding fill above the water line. The possible negative effect is not serious enough to warrant action by the Board.

Landscaping: The applicant has proposed 6 new trees along the southern wall of the building. Due to the location and nature of the facility, this proposal is sufficient.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Pat Scordo PE, GYMO 220 Sterling Street



**CITY OF WATERTOWN
SITE PLAN APPLICATION PROCESS**



The applicant is responsible for completeness of application and inclusion of all required information.

****INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED****

In order to expedite the Site Plan review process, all applicants are encouraged to have a pre-application meeting with Planning & Engineering staff. Staff can be reached at (315) 785-7740.

In the interest of expediting site plan approvals, the City of Watertown wishes to advise you of the procedures in applying for these referrals:

A. Fill out the Site Plan / Site Plan Waiver - Determination Flow Chart below:

1. Is the use a one, two, or three family dwelling?
 YES (Site Plan Review is **not** required. You may apply directly for Building Permit.)
 NO (Go to question 2)
2. Is your building or parking lot construction or expansion less than or equal to 400 sq. ft.?
 YES (Site Plan Review is not required. You may apply directly for Building Permit.)
 NO (Go to question 3)
3. Does your building or parking lot construction or expansion exceed 2500 sq. ft.?
 YES (Site Plan Review required. Submit the Site Plan Application Form.)
 NO (Go to question 4)
4. Is your proposed building the first on the lot?
 YES (Site Plan Review required. Submit the Site Plan Application Form.)
 NO (Go to question 5)
5. Does your project involve a change in the property boundaries?
 YES (Site Plan Review required. Submit the Site Plan Application Form.)
 NO (Go to question 6)
6. Does your building or parking lot construction or expansion change or impair the overall grading, circulation, drainage, utility services, and appearance and visual effect of the property?
 YES (Site Plan Review required. Submit the Site Plan Application Form.)
 NO (*Site Plan Waiver allowed. Submit the Site Plan Waiver Form.)

* The City of Watertown Planning Board reserves the right to require Site Plan Review.

B. When Jefferson County Planning Board review is necessary, one additional set is required. SUBMISSION MUST CONTAIN COMPLETE COLLATED SETS OF ALL DATA. A complete submittal set at a minimum contains the following:

1. For Site Plan Approval *
 - 15 sets** - At least 3 full size, including one original full size.
 - Remaining sets can be 11x17 if legible.
 - Completed Site Plan Application (see attached application form).
 - * City Council Approval is required for Site Plans.

2. For Site Plan Waiver Approval **
 - 10 sets** - At least 3 full size, including one original full size.
 - Remaining sets can be 11x17 if legible
 - Completed Site Plan Waiver Application (see attached application form).
 - ** Site Plan approval of City Council would be waived by the City of Watertown Planning Board.

C. Address submittals to:
 Kurt W. Hauk, P.E.
 City Engineer
 Room 305, City Hall
 245 Washington Street
 Watertown, NY 13601

D. A **\$50.00** application fee must accompany the submittal.
 A **\$50.00** application fee must accompany each resubmittal. You will be notified by the Engineering Department if an application requires a resubmittal.
 Make checks payable to the City of Watertown.

E. All Site Plan submittals must be received by the City Engineer at least 14 calendar days prior to the next Planning Board Meeting; 21 calendar days if Jefferson County Planning Board action is necessary. Failure to meet the submittal deadline will result in **not** making the agenda for the upcoming Planning Board Meeting. **THERE ARE NO EXCEPTIONS.** The City Planning Board meets on the first Tuesday of each month at 1:30 P.M. in the City Council Chambers on the 3rd Floor of City Hall.

| CITY OF WATERTOWN PLANNING BOARD 2010 (1 ST TUES. MONTH @ 1:30 PM) | | CITY OF WATERTOWN CITY COUNCIL 2010 (1 ST & 3 RD MONDAY @ 7 PM) | | JEFFERSON COUNTY PLANNING BOARD 2010 (LAST TUES. MONTH) | |
|---|----------|---|--|---|----------|
| MEETING DATE | DEADLINE | MEETING DATE | | MEETING DATE | DEADLINE |
| Jan. 5 | Dec. 22 | Jan. 4, 19 | | Jan. 26 | Jan. 12 |
| Feb. 2 | Jan. 19 | Feb. 1, 16 | | Feb. 23 | Feb. 9 |
| March 2 | Feb. 16 | March 1, 15 | | March 30 | March 16 |
| April 6 | March 23 | Apr. 5, 19 | | April 27 | April 13 |
| May 4 | April 20 | May 3, 17 | | May 25 | May 11 |
| June 1 | May 18 | Jun. 7, 21 | | June 29 | June 15 |
| July 6 | June 22 | July 5, 19 | | July 27 | July 13 |
| Aug. 3 | July 20 | Aug. 2, 16 | | Aug. 24 | Aug. 10 |
| Sept. 7 | Aug. 24 | Sept. 7, 20 | | Sept. 28 | Sept. 14 |
| Oct. 5 | Sept. 21 | Oct. 4, 18 | | Oct. 26 | Oct. 12 |
| Nov. 2 | Oct. 19 | Nov. 1, 15 | | Nov. 23 | Nov. 9 |
| Dec. 7 | Nov. 23 | Dec. 6, 20 | | Dec. 28 | Dec. 14 |



**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: Guilfoyle Ambulance Access Drive

Tax Parcel Number: 8-40-106.00

Property Address: Faichney Drive

Existing Zoning Classification: Planned Development District (PDD)

OWNER OF PROPERTY

Name: Guilfoyle Ambulance Services, Inc.

Address: 438 Newell Street

Watertown, NY 13601

Telephone Number: (315) 788-4032

Fax Number: _____

APPLICANT

Name: Guilfoyle Ambulance Services, Inc.

Address: 438 Newell Street

Watertown, NY 13601

Telephone Number: (315) 788-4032

Fax Number: _____

Email Address: _____

ENGINEER/ARCHITECT/SURVEYOR

Name: GYMO, P.C.

Address: 220 Sterling Street

Watertown, NY 13601

Telephone Number: (315) 788-3900

Fax Number: (315) 788-0668

Email Address: pat@gymopc.com

PROJECT DESCRIPTION

Describe project and proposed use briefly:

Asphalt access driveway on west side of building. Project includes grading and landscaping in project area.

Is proposed Action:

- New Expansion Modification/Alteration

Amount of Land Affected:

Initially: 0.34 Acres Ultimately: 0.34 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: Ontario Village Apartments, small retail/commerical present.

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)

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

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

Building permit - (C) Watertown

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

Yes No

Proposed number of housing units (if applicable): N/A

Proposed building area: 1st Floor 71,800 Sq. Ft.

2nd Floor _____ Sq. Ft.

3rd Floor _____ Sq. Ft.

Total _____ Sq. Ft.

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

Number of parking spaces proposed: None

Construction Schedule: November 2012

Hours of Operation: 24 hours/day

Volume of traffic to be generated: 0 ADT

REQUIRED DRAWINGS:

** The following drawings with the listed information **ARE REQUIRED, NOT OPTIONAL**. If the required information is not included and/or addressed, the Site Plan Application will **not** be processed.

BOUNDARY & TOPOGRAPHIC SURVEY

(Depict existing features as of the date of the Site Plan Application. This Survey and Map must be performed and created by a Professional Land Surveyor licensed and currently registered to practice in the State of New York. This Survey and Map must be stamped and signed with an original seal and signature on at least one copy, the rest may be copies thereof.

- All elevations are National Geodetic Vertical Datum of 1929 (NGVD29).
- 1' contours are shown & labeled with appropriate spot elevations.
- All existing features on and within 50 feet of the subject property are shown and labeled. Unless restricted
- All existing utilities on and within 50 feet of the subject property are shown and labeled. Unless restricted
- All existing easements and/or right-of-ways are shown and labeled.
- Existing property lines (bearings & distances), margins, acreage, zoning, existing land use, reputed owner, adjacent reputed owners & tax parcel numbers are shown and labeled.
- The north arrow & graphic scale are shown.

DEMOLITION PLAN (If Applicable)

- All existing features on and within 50 feet of the subject property are shown and labeled.
- All items to be removed are labeled in darker text.

SITE PLAN

- All proposed above ground features are depicted and clearly labeled.
- All proposed features are clearly labeled "proposed".
- All proposed easements & right-of-ways are shown and labeled.
- Land use, zoning, & tax parcel number are shown.

- The Plan is adequately dimensioned including radii.
- The line work & text for all proposed features is shown darker than existing features.
- All vehicular & pedestrian traffic circulation is shown including a delivery or refuse vehicle entering and exiting the property.
- Proposed parking & loading spaces including ADA accessible spaces are shown and labeled.
- Refuse Enclosure Area (Dumpster), if applicable, is shown. Section 161-19.1 of the Zoning Ordinance states, "No refuse vehicle or refuse container shall be parked or placed within 15 feet of a party line without the written consent of the adjoining owner, if the owner occupies any part of the adjoining property".
- The north arrow & graphic scale are shown.

GRADING PLAN

- All proposed below ground features including elevations & inverts are shown and labeled.
- All proposed above ground features are shown and labeled.
- The line work & text for all proposed features is shown darker than existing features.
- All proposed easements & right-of-ways are shown and labeled.
- 1' existing contours are shown dashed & labeled with appropriate spot elevations.
- 1' proposed contours are shown & labeled with appropriate spot elevations.
- All elevations are National Geodetic Vertical Datum of 1929 (NGVD29).
- Sediment & Erosion control are shown & labeled on the grading plan unless separate drawings have been provided as part of a Stormwater Pollution Prevention Plan (SWPPP).

UTILITY PLAN

- All proposed above & below ground features are shown and labeled.
- All existing above & below ground utilities including sanitary, storm water, water, electric, gas, telephone, cable, fiber optic, etc. are shown and labeled.

- All proposed easements & right-of-ways are shown and labeled.
- The Plan is adequately dimensioned including radii.
- The line work & text for all proposed features is shown darker than existing features.
- The following note has been added to the drawings stating, "All water main and service work must be coordinated with the City of Watertown Water Department. The Water Department requirements supercede all other plans and specifications provided."

LANDSCAPING PLAN

- All proposed above ground features are shown and labeled.
- All proposed trees, shrubs, and other plantings are shown and labeled.
- All proposed landscaping & text are shown darker than existing features.
- All proposed landscaping is clearly depicted, labeled and keyed to a plant schedule that includes the scientific name, common name, size, quantity, etc.
- For additional landscaping requirements where nonresidential districts and land uses abut land in any residential district, please refer to Section 310-59, Landscaping of the City's Zoning Ordinance.
- Site Plan complies with and meets acceptable guidelines set forth in Appendix A - Landscaping and Buffer Zone Guidelines (August 7, 2007).**

PHOTOMETRIC PLAN (If Applicable)

- All proposed above ground features are shown.
- Photometric spot elevations or labeled photometric contours of the property are clearly depicted. Light spillage across all property lines shall not exceed 0.5 foot-candles.

CONSTRUCTION DETAILS & NOTES

- All details and notes necessary to adequately complete the project including, but not limited to, landscaping, curbing, catch basins, manholes, water line, pavement, sidewalks, trench, lighting, trash enclosure, etc. are provided.
- Maintenance & protection and traffic plans & notes for all required work within City streets including driveways, water laterals, sanitary laterals, storm connections, etc. are provided. N/A

- The following note must be added to the drawings stating:
"All work to be performed within the City of Watertown margin will require sign-off from a Professional Engineer, licensed and currently registered to practice in the State of New York, that the work was built according to the approved site plan and applicable City of Watertown standards. Compaction testing will be required for all work to be performed within the City of Watertown margin and must be submitted to the City of Watertown Codes Department." N/A

PRELIMINARY ARCHITECTURAL PLANS (If Applicable)

- Floor plan drawings, including finished floor elevations, for all buildings to be constructed are provided.
- Exterior elevations including exterior materials and colors for all buildings to be constructed are provided.
- Roof outline depicting shape, slope and direction is provided.

ENGINEERING REPORT

**** The engineering report at a minimum includes the following:**

- Project location
- Project description
- Existing & proposed sanitary sewer flows & summary
- Water flows & pressure
- Storm Water Pre & Post Construction calculations & summary
- Traffic impacts
- Lighting summary
- Landscaping summary

GENERAL INFORMATION

ALL ITEMS ARE STAMPED & SIGNED WITH AN ORIGINAL SIGNATURE BY A PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR SURVEYOR LICENSED AND CURRENTLY REGISTERED TO PRACTICE IN THE STATE OF NEW YORK.

If required, a copy of the Stormwater Pollution Prevention Plan (SWPPP) submitted to the NYSDEC will also be sent to the City of Watertown Engineering Department. Will be sent

If required, a copy of all submittals sent to the New York State Department of Environmental Conservation (NYSDEC) for the sanitary sewer extension permit will also be sent to the City of Watertown Engineering Department

If required, a copy of all submittals sent to the New York State Department of Health (NYSDOH) will also be sent to the City of Watertown Engineering Department.

Signage will not be approved as part of this submission. It requires a sign permit from the Codes Department. See Section 310-52.2 of the Zoning Ordinance.

Plans have been collated and properly folded.

Explanation for any item not checked in the Site Plan Checklist.

No SWPPP provided, Disturbance less than 1 acre

No Elevations/Roof Plans - No Change to these

No Photometrics - Only 4 Wallpacks proposed adjacent to overhead doors

No Demolition Proposed

No Waterline work is proposed

Completed SEQR – Short Environmental Assessment Form – Part I.

*A copy of the SEQR Form can be obtained from the City of Watertown website.

SIGNATURE

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

Applicant (please print) Charmaine G Wright

Applicant Signature Charmaine G Wright Date: 9/11/12

Excerpt from 10/2/12 Planning Board Meeting Minutes

SITE PLAN APPROVAL – GUILFOYLE 1291 FAICHNEY DR – PARCEL 8-40-106

The Planning Board then considered a request submitted by Patrick Scordo of GYMO, P.C. on behalf of Guilfoyle Ambulance Service, for construction of an asphalt access road with landscaping at 1291 Faichney Drive, parcel 8-40-106.

Ed Olley of GYMO was in attendance to represent the applicant. He explained that Guilfoyle is renovating the former Tyco building to house the ambulance company. They will be adding two garage doors and a driveway around the south side of the building.

Mrs. Freda asked what “dark sky compliant” means, in reference to the lights. Mr. Olley explained that it is a federal standard to limit light pollution. Dark Sky fixtures direct all light downwards.

Hearing no further discussion or comments on the proposed plan, Mr. Fontana made a motion to recommend approval of the site plan submitted by Patrick Scordo of GYMO, on behalf of Guilfoyle Ambulance Service, for construction of an asphalt access road with landscaping at 1291 Faichney Drive, parcel 8-40-106, as submitted on September 11, 2012.

Mr. Katzman seconded, all voted in favor.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 27, 2012

Andrew Nichols, Planner
City of Watertown
245 Washington Street
Watertown, NY 13601

Re: Pat Scordo for Guilfoyle, Site Plan Review, Guilfoyle access drive,
JCDP File # C 10 - 12

Dear Andrew:

On September 25, 2012, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

Jennifer Voss
Community Development Coordinator

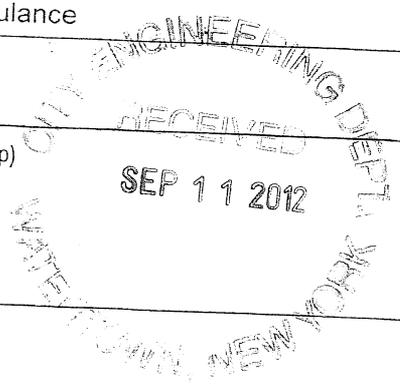


SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

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

| | |
|---|--|
| 1. APPLICANT/SPONSOR Guilfoyle Ambulance Services, Inc. | 2. PROJECT NAME Guilfoyle Ambulance |
| 3. PROJECT LOCATION: Municipality City of Watertown County Jefferson | |
| 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) Old Covidien Building on Faichney Drive. | |
| 5. IS PROPOSED ACTION: <input type="checkbox"/> New <input checked="" type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration | |
| 6. DESCRIBE PROJECT BRIEFLY: Asphalt access driveway on the south side of the building. Project includes grading and landscaping in project area. | |
| 7. AMOUNT OF LAND AFFECTED: Initially <u>0.34</u> acres Ultimately <u>0.34</u> acres | |
| 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" 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 checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe: Ontario Village Apartments, small retail/commerical | |
| 10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals | |
| 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 <div style="text-align: right; margin-top: 10px;">Building Permit - (C) Watertown</div> | |
| 12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE | |
| Applicant/sponsor name: _____ - Guilfoyle Ambulance Services, Inc. | Date: <u>9/11/12</u> |
| Signature: <u><i>Sharonne Wright</i></u> | |



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

Res No. 5

October 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

Jessica Jarrell has submitted an application for the above subject Special Use Permit (SUP). An automobile sales lot has previously operated at this location, but no SUP is was on file.

The Planning Board reviewed the request at its October 2, 2012 meeting and adopted a motion recommending that Council approve the Special Use Permit with one condition, listed in the attached resolution.

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

The Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion that the project does not have any county-wide or inter-municipal issues, and is of local concern only.

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, November 5, 2012.

RESOLUTION

Page 1 of 1

Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

- 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 |
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Introduced by

WHEREAS Jessica Jarrell has made an application for a Special Use Permit to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001, and

WHEREAS the Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on October 2, 2012, and recommended that the City Council of the City of Watertown approve the request with the following condition:

1. The applicant shall not offer more than 5 vehicles for sale at once.
- And,

WHEREAS a public hearing was held on the proposed Special Use Permit on Monday, November 5, 2012, 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 automobile sales at 808 Main Street West 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 Jessica Jarrell to operate an automobile sales lot at 808 Main Street West, parcel 1-16-205.001, contingent upon the applicant meeting the condition listed above.

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 – 808 Main Street West, Car Sales *KAM*

DATE: September 24, 2012

Request: Special Use Permit request to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001

Applicant: Jessica Jarrell

Proposed Use: Auto sales

Property Owner: James Ferard

Submitted:

8 ½" x 11" Copy of Parcel Map: No

A Sketch of the Site to Scale: No

Completed Part I of an
Environmental Assessment Form: No

SEQRA: Unlisted Action

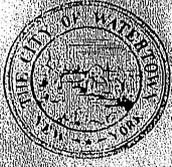
County Planning Board Review Required: No

Comments: The applicant wishes to open an auto sales lot at 808 Main Street West. The lot has an existing building which will not be altered. The current use, a taxi parking lot and dispatch, will apparently continue simultaneously.

The applicant indicates that approximately 5 vehicles will be offered for sale at a time.

This lot has been used for auto sales previously, but no Special Use Permit is on file for the address, expired or otherwise.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Jessica Jarrell, 25754 Pearl St Rd



CITY OF WATERTOWN, NEW YORK

245 Washington Street, Watertown, NY 13601
Office: (315) 785-7730 - Fax: (315) 782-9014

Special Use Permit Application

APPLICANT INFORMATION

Name: Jessica Jarrell
Mailing Address: 25754 Pearl St Rd
Watertown NY 13601
Phone Number: 315824-4817 Email: Jessicaberkmann@yahoo.com

PROPERTY INFORMATION

Property Address: 808 W. Main St
Watertown NY 13601
Tax Parcel Number(s): 1-16-205.1
Property Owner (if not applicant): James Ferard

If applicant is not owner or owner's representative, indicate interest in the property:

- Signed Purchase Agreement (attach)
- Signed Lease (attach)
- None yet

Zoning District: neighborhood business

Required Attachments:

- 8.5x11 parcel map with property outlined with heavy black ink
- Sketch of the site drawn to an engineering scale (e.g. 1"=20')
- Completed Part I of the Environmental Assessment Form (SEQR)

REQUEST DETAILS

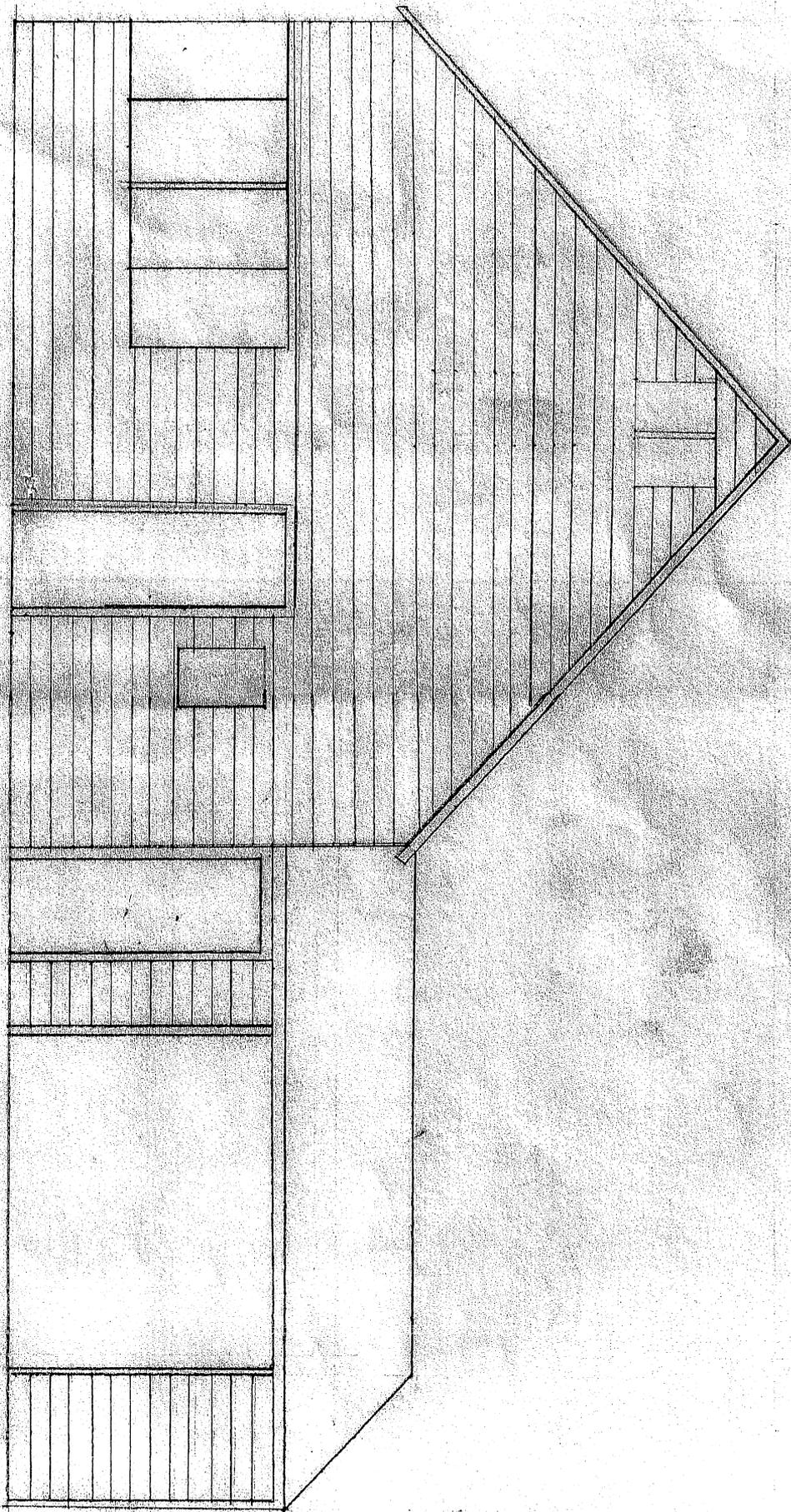
Proposed Use: Commercial Cars Used.

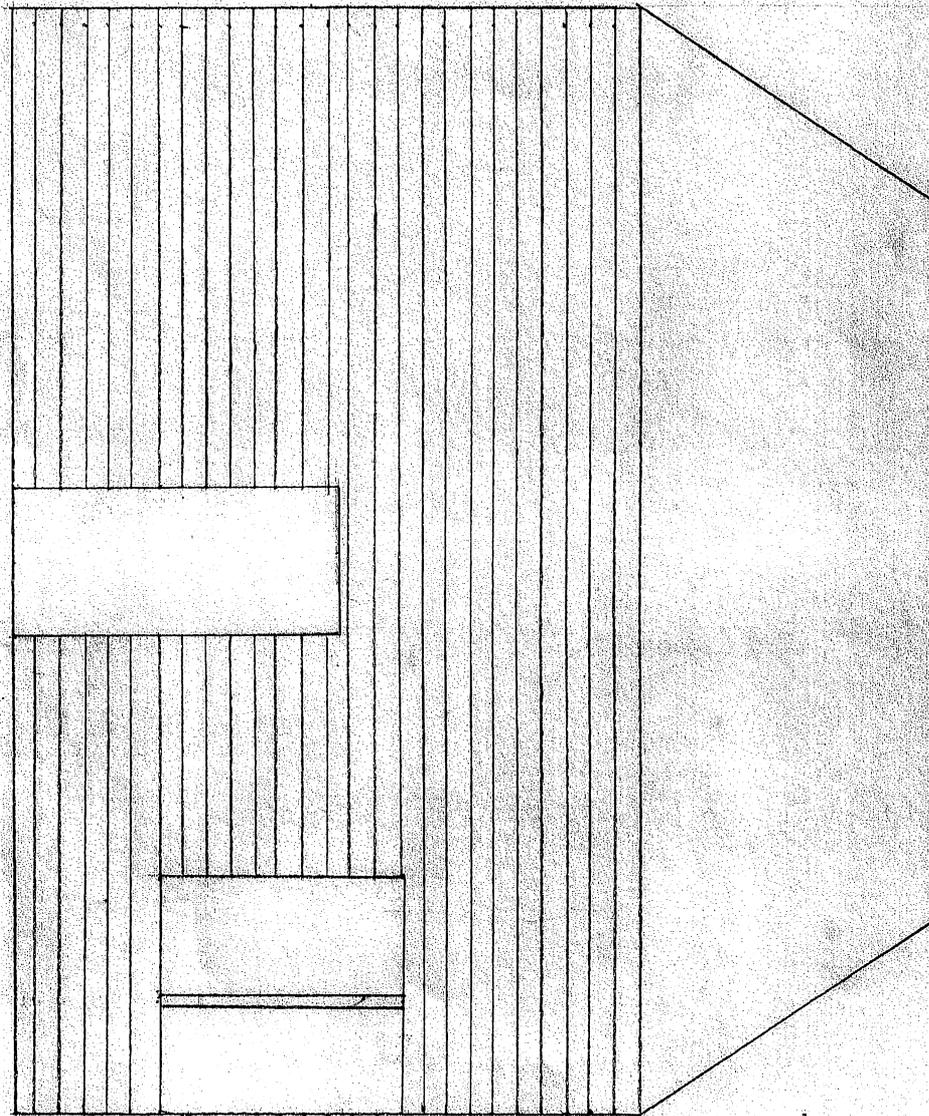
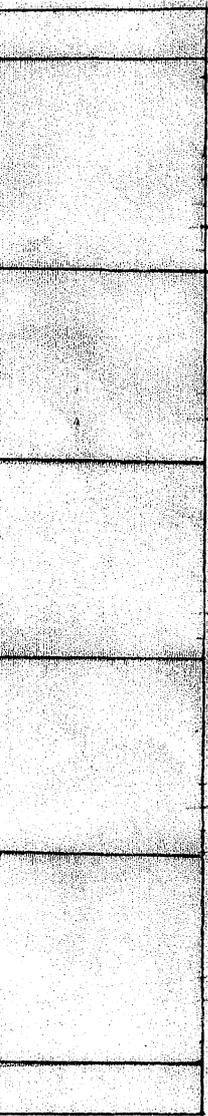
Explain proposal (use additional 8.5x11 sheets if necessary):
would like to open A car lot w/ 5 vehicles. (2 trucks, 2 cars 1 van)
rough idea. Building is already existing.

I certify that the information provided in this application is true to the best of my knowledge.

Signature: Jessica Jarrell

Date: 9-4-12

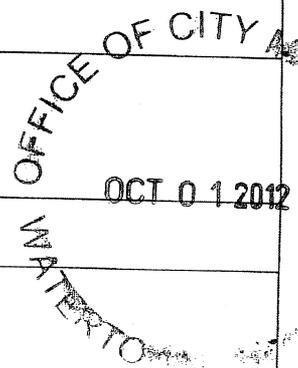




Appendix C
State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
For UNLISTED ACTIONS Only

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

| | | | |
|--|--|---|--|
| 1. APPLICANT/SPONSOR <u>Jessica Jamell</u> | | 2. PROJECT NAME <u>CT's Auto Sales</u> | |
| 3. PROJECT LOCATION: Municipality _____ County _____ | | | |
| 4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>808 W. Main St Watertown NY 13601</u> | | | |
| 5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration | | | |
| 6. DESCRIBE PROJECT BRIEFLY: <u>Sell used cars.</u> | | | |
| 7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres | | | |
| 8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly | | | |
| 9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other | | | |
| 10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | | | |
| 11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: | | | |
| 12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input 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: <u>Jessica Jamell</u> | | Date: <u>9-25-12</u> | |
| Signature: <u>Jessica Jamell</u> | | | |



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

Excerpt from the Minutes – Planning Board 10/2/2012

**SPECIAL USE PERMIT – AUTO SALES
808 MAIN STREET WEST – PARCEL 1-16-205.001**

The Planning Board then considered a request submitted by Jessica Jarrell to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001.

Ms. Jarrell was present to explain her proposal. She stated that she wished to sell cars in the existing paved lot at 808 Main St W, where Big Man's Cab is currently located, and would continue to operate. She would offer five vehicles at the location, and would not perform automobile repairs.

Mrs. Freda asked if Site Plan Review would be required. Mr. Nichols stated that it would not, because no construction was proposed.

Mrs. Freda asked what the hours of operation would be. Ms. Jarrell replied 9:00 to 5:30, Monday through Saturday.

Mr. Katzman noted that the lot is small, and couldn't hold tons of cars. Ms. Jarrell noted that the cab company only has two cars on the lot. A discussion followed regarding the size of the lot and whether or not a limit should be placed on the number of cars allowed to be for sale at any given time. Ms. Jarrell noted she would only have up to 5 cars for sale at a time. Given Ms. Jarrell's intent to only have 5 cars and the smaller size of the lot, the Planning Board decided to limit the number of cars allowed for sale to 5.

Mr. Fontana moved to recommend that City Council approve the request submitted by Jessica Jarrell to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001, with the following condition:

1. The applicant shall not offer more than 5 vehicles for sale at once.

Mr. Coburn seconded, all voted in favor.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 27, 2012



Andrew Nichols, Planner
City of Watertown
245 Washington Street
Watertown, NY 13601

Re: Jessica Jarrel, Special Permit, Used Car Sales, JCDP File # C 11 - 12

Dear Andrew:

On September 25, 2012, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

Jennifer Voss
Community Development Coordinator

JV

Res No. 6

October 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving the Project Agreement Between the City of Watertown and The Development Authority of the North Country for Funds From the North Country HOME Consortium

The City of Watertown has been awarded \$75,000.00 for program year 2012 and \$75,000.00 for program year 2013 from the North Country HOME Consortium. The 2013 funds are contingent upon the HOME Consortium receiving funds from the U.S. Department of Housing and Urban Development in 2013. The funds are expected to assist six income-eligible homeowners with repairs to their homes.

A Grant Agreement with the Development Authority of the North Country is attached for City Council review. DANC administers the program for the Consortium. A resolution has been prepared for City Council consideration that approves the Agreement and authorizes the Mayor to execute it.

RESOLUTION

Page 1 of 1

Approving the Project Agreement Between the City of Watertown and the Development Authority of the North Country for Funds From the North Country HOME Consortium

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 been awarded a grant from the North Country HOME Consortium for a total of \$150,000.00 for program years 2012 and 2013, and

WHEREAS it is necessary to enter into a formal agreement with the Development Authority of the North Country as administrator of the Consortium funds, and

WHEREAS an Agreement has been drafted, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Home Investment Project Agreement between the City of Watertown and the Development Authority of the North Country, and

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

Seconded by

HOME INVESTMENT PROJECT AGREEMENT
OWNER-OCCUPIED REHABILITATION PROGRAM

This sets forth the HOME Investment Project Agreement made as of October 5, 2012, by and between the Development Authority of the North Country, a New York State public benefit corporation with offices at Dulles State Office Building, 317 Washington Street, Watertown, New York ("Authority") and City of Watertown, Suite 302, City Hall, 245 Washington Street, Watertown, New York 13601. ("Awardee").

Recitals

1. Jefferson County, as lead county of the HUD North Country HOME Consortium and recipient of HOME grant funds, has contracted with the Authority to administer a HOME HUD grant in accordance with all HUD regulations, grant conditions and the North Country HOME Consortium Program requirements.
2. Awardee has qualified for designation as an Awardee of grant funds subject to the terms and conditions contained herein.

Agreement

In consideration of the mutual covenants herein contained, the parties agree as follows:

1. Amount of HOME Funding Award. Awardee shall be granted a total of \$150,000.00 with this contract. One-half (1/2) of the award, or \$75,000, will be funded in HOME program year 2012, and one-half (1/2) of the award, or \$75,000 will be funded in HOME program year 2013 contingent upon the availability of HOME funds in 2013. All funding awards are subject to the release of funds from the U.S. Department of Housing and Urban Development.

HOME Program Year 2012 Award:

| | |
|------------------------------|--------------------|
| Project Funds: | \$ 70,754.00 |
| <u>Administrative Funds:</u> | <u>\$ 4,246.00</u> |
| | \$ 75,000.00 |

HOME Program Year 2013 Award:

| | |
|------------------------------|--------------------|
| Project Funds: | \$ 70,754.00 |
| <u>Administrative Funds:</u> | <u>\$ 4,246.00</u> |
| | \$ 75,000.00 |

2. Duration of the Agreement. This agreement shall commence the date hereof and end 48 months thereafter, or upon completion of the final HOME assisted unit, whichever occurs first.

In the event an Awardee cannot meet the above term for reasons outside the control of the Awardee, upon written notice by the Awardee, the Authority may grant a reasonable extension of time for completion of the project(s).

3. Use of HOME Funds. The Awardee shall administer and deliver the projects as set forth in their application for funding to the Authority. The Awardee will adhere to the project budget identified in its application and attached. Any modifications will need the approval of the Authority.
 - A. Awardee shall, within 24 months from the date of this agreement, commit and expend the HOME Program Year 2012 funds in the amount and manner and only for the purposes set forth in Awardee's approved application for funding, which application is attached hereto and made a part hereof.

Awardee shall, within 24 months from the date of written notification from the Authority, commit and expend the HOME Program Year 2013 funds in the amount and manner and only for the purposes set forth in Awardee's approved application for funding, which application is attached hereto and made a part hereof.
 - B. Awardee shall use HOME funds for the purposes set forth in the Awardee's application attached hereto to include rehabilitation of owner-occupied dwellings in the City of Watertown identified in the application.
 - C. Awardee shall assist approximately 6 units in total with HOME funds. It is proposed that 3 units will be assisted in HOME program year 2012 and 3 units will be assisted in HOME program year 2013.
 - D. At least 6 eligible homeowners will be assisted with these grant funds.
 - E. At least 3 of the 6 families assisted will have income levels at or below 50%, at least 2 of the 6 families assisted will have incomes at between 50% and 60% and 1 household will have income at less than 80% of the median income levels for Jefferson County adjusted for family size.
 - F. Awardee shall use HOME funds in accordance with the approved project budget that was submitted with their 2012 & 2013 application for funding and which application is attached to this contract.
4. Reimbursement of Expenses. In accordance with 24 CFR 92.504(c)(3)(viii) project expenses shall be paid based on vouchers for actual expenses incurred or paid. Requests for payment must be submitted by the Awardee on forms specified by the Authority with adequate and proper documentation of eligible costs incurred in compliance with 24 CFR 92.206 and necessary for HUD IDIS disbursement requirements. Budget

revision and approval shall be required prior to payment of any expenses not conforming to the approved project budget.

The Authority reserves the right to inspect records and project sites to determine that reimbursement and compensation requests are reasonable, and reserves the right to review and audit all records of the Awardee pertaining to any payment by the Authority. Said records shall be maintained for a period of five years after completion.

5. Affordability Requirements. The designated HOME-assisted units will meet the affordability requirements as found at 24 CFR 92.254 (a)(3)-(4) as applicable.
6. Resale/Recapture Provisions. The Awardee shall require that all property purchased using HOME assistance be subject to the resale/recapture provision as outlined in 24 CFR 92.254 (a)(5)(ii). Prior to the assistance being given, one of the HUD approved methods for resale/recapture as outlined in 24 CFR 92.254 (a)(5)(ii) shall be specified to the homebuyer. The property shall remain affordable as outlined in the regulations and shall be enforced through a deed restriction or other comparable restriction.

Any program income generated from the recapture/resale of units assisted with HOME funds will be returned to the Authority. The Authority will notify Jefferson County of such funds and Jefferson County will report these funds in HUD IDIS.

The Awardee will have 6 months from the time that the Authority receives the funds to commit these funds to another HUD HOME eligible owner-occupied project as identified by this application. If it cannot, the Authority will reserve the right to allocate, at the discretion of the HOME Administrative Board, these funds to another eligible project.

At all times, the Awardee will expend these funds in accordance with the terms and conditions set forth by this Agreement, and in accordance with 24 CFR 92.

7. Project Requirements.
 - A. If the project is to be owner-occupied, the Awardee will ensure that all HOME assisted units will be in compliance with 24 CFR 92.254 (a)(3)-(4) for the applicable affordability period.
 - B. If the project is to be owner-occupied, the Awardee will ensure that all HOME assisted units are eligible under 24 CFR 92.254 (a)(1)-(2), and will maintain compliance during the minimum compliance period.

- C. If the project is to be owner-occupied, the Awardee will ensure that all HOME assisted units will be in compliance under 24 CFR 92.254(c) for ownership interest.
 - D. The Awardee will provide any documentation required by the Authority regarding match as may be required to document match for purposes of the HOME program.
 - E. If not already done, Awardee agrees to notify in writing each municipality in which HOME funds are proposed to be spent providing a description of the type of activity to be undertaken.
8. Physical Standards. The Awardee shall assure compliance with 24 CFR 92.251 as relates to Property Standards and Housing Quality Standards (HQS), Accessibility Standards under 24 CFR 92.251 (a)(3) as applicable, and Lead Based Paint Requirements as found in 24 CFR 92.355 and 24 CFR Part 35.
9. Affirmative Marketing. As stated in 24 CFR 92.351, and as it applies to homebuyer and renter-occupied projects, if 5 or more units in a project are assisted with home funds then:
- . Awardee agrees to provide fair housing opportunities for all persons regardless of race, color, religion, gender, age, familial status, sexual preference, and physical or mental disability.
 - . Awardee agrees to follow the procedures to further affirmative marketing as set forth by the North Country HOME Consortium in its 2012 Annual Plan.
10. Non-discrimination. In the selection of occupants for HOME-assisted units, the Awardee shall comply with all non-discrimination requirements of 24 CFR 92.350.
11. Displacement & Relocation. If any HOME-assisted units are occupied at the time of this commitment, the Awardee will comply with the relocation requirements of 24 CFR 92.353.
12. Contract & Labor Standards.
- A. If any project under this agreement involves the construction or rehabilitation of 12 or more HOME-assisted units, the Awardee shall comply with the provisions of the Davis-Bacon Act (40 U.S.C. 276. a to a-7) and referenced at 24 CFR 92.354.
 - B. Awardee agrees that it will comply with Section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR 135.

C. Awardee agrees that it will comply with implementing regulations at 24 CFR 92.508(a)(7) pertaining to Minority/Women-Owned Business Enterprises.

13. Conflict of Interest. Not applicable to owner-occupied projects.

14. Records and Reports. As stated at 24 CFR 92.508(a)(3) the following records and reports are required if the project is owner-occupied, or homebuyer assistance:

A. A full description of each project assisted with HOME funds, including the location, form of HOME assistance, and the units or tenants assisted with HOME funds.

B. The source and application of funds for each project, including supporting documentation in accordance with 24 CFR 85.20.

C. Records demonstrating that each rental housing or homeownership project meets the minimum per-unit subsidy amount of 24 CFR 92.205 (c), the maximum per-unit subsidy amount of 24 CFR 92.250 (a) and the subsidy layering guidelines adopted in accordance with 24 CFR 92.250(b).

D. Records demonstrating that each project meets the property standards of 24 CFR 92.251 and the lead based paint requirements of 24 CFR 92.355.

E. Records demonstrating that each family is income eligible in accordance with 24 CFR 92.203. Awardees must use Definition 1 - Calculating Income as defined in 24 CFR Part 5.

F. Records demonstrating that the purchase price or estimate value after rehabilitation for each homeownership housing project does not exceed 95 percent of the median purchase price for the area in accordance with 24 CFR 92.254(a)(2). The records must demonstrate how the estimated value was determined.

G. Records demonstrating that each homeownership project meets the affordability requirements of 24 CFR 92.254 for the required period.

H. Records demonstrating that a site and neighborhood standards review was conducted for each project which includes new construction of rental housing assisted under this part to determine that the site meets the requirements of 24 CFR 983.6(b), in accordance with 24 CFR 92.202.

15. Enforcement of the Agreement.

- A. The HOME funds advanced to fund a HOME-assisted unit will be secured by a note and mortgage in accordance with 24 CFR 92.504(c)(3)(vii).
- B. If the HOME-assisted unit is to be owner-occupied, the Awardee shall assure that any notes and mortgages recorded for homebuyers shall be in compliance with 24 CFR 92.254 and that the Awardee will monitor each unit for principal residency (under 24 CFR 92.254(a)(3) and resale/recapture (24 CFR under 92.254 (a)(4)-(5)).

16. Default-Loss of Grant Funds. If the Awardee fails to fully perform and carry out any of the terms, covenants, and conditions of this agreement, Awardee shall be in default and notice in writing shall be given to the Awardee of such default by the Authority. If the Awardee fails to cure such default within the time specified by such notice, the Authority may at its option terminate and cancel the contract.

In the event of such termination, all grant funds awarded to the Awardee shall be revoked and any approvals related to the project(s) shall immediately be deemed revoked and canceled.

In such event, the Awardee will no longer be entitled to receive any compensation for work undertaken after the date of the termination of this agreement, as the grant funds will no longer be available for the project.

Such termination shall not affect or terminate any of the rights of the Authority as against the Awardee then existing, or which may thereafter accrue because of such default, and the foregoing provision shall be in addition to all other rights and remedies available to the Authority under the law and the note and mortgage (if in effect), including but not limited to compelling the Awardee to complete the project(s) in accordance with the terms of this agreement, in a court of equity.

The waiver of a breach of any term, covenant or condition hereof shall not operate as a waiver of any subsequent breach of the same or any other term, covenant, or condition hereof.

17. Suspension and Termination. This agreement may be terminated by mutual consent or by the Authority at any time, and in accordance with 24 CFR 85.44, upon written notice to Awardee, if Awardee fails to comply with the terms and conditions of this agreement.

In the event of termination, Awardee shall be entitled to payment for all costs incurred prior to the date of termination and all unexpended funds and program income shall be paid to the Authority for reimbursement to the North Country HOME Trust Fund. The Authority will notify Jefferson

County if it receives any unexpended funds or program income to be reported in IDIS by Jefferson County.

18. Indemnification. Awardee is an independent contractor and shall not represent itself in any other capacity with respect to this agreement. Awardee shall be solely liable for damages for injuries to persons (including death) or property arising in any manner out of the operation of this agreement and shall defend and indemnify the Authority, its officers and employees from claims, suits, actions, damages and costs of every nature arising in any manner out of the operation of this agreement.

19. Intent. It is the intent of this agreement that all laws, regulations, rules, procedures, conditions, and requirements as may apply to the Authority relative to the grant shall likewise fully apply to the Awardee.

20. Compliance with Laws. Awardee shall comply with any and all federal, state and local laws, rules and regulations, and as amended from time to time, as may apply to Awardee's activities under this agreement, which laws, rules and regulations are hereby incorporated by reference in this agreement as if fully set forth herein, including but not limited to:

- HOME Investment Partnership Act, 24 CFR Part 92
- Title 8 of the Civil Rights Act of 1968 PL. 90-284
- Executive Order 11063 on Equal Opportunity and Housing Section 3 of the Housing and Urban Development Act of 1968
- Housing and Community Development Act of 1974
- The Awardee agrees to comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15)
- HUD Regulations thereunder, 24 CFR Parts 24, 58, 92 and 135
- OMB Circular A-122 and the following requirements of 24 CFR part 84 apply to subrecipients receiving HOME funds that are nonprofit organizations that not governmental subrecipients: §§ 84.2, 84.5, 84.13-84.16, 84.21, 84.22, 84.26-84.28, 84.30, 84.31, 84.34-84.37, 84.40-84.48, 84.51, 84.60-84.62, 84.72, and 84.73.
- New York Workers Compensation and Disability Laws

- Section 312, New York Executive Law - Equal Employment Opportunities for Minorities and Women
- Article 15-A, New York Executive Law - Equal Employment Opportunity
- All federal and state laws relating to drug-free workplace, anti-kickback, competitive bidding, retention of and access to records and conflict of interest

21. Procurement Policy. Awardee agrees to provide for an open and competitive bidding process. Bids should be date/time stamped when opened. All bidding activities should be documented and maintained with project files. The Authority and Jefferson County reserve the right to review these documents upon inspection.

22. Anti-Lobbying. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, it will complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

23. Incorporated Documents. Awardee acknowledges that it has obtained, read and understands the following documents which are hereby incorporated by reference, and as amended from time to time, in this agreement as if fully set forth herein and agrees to be bound thereby to the extent applicable to Awardee:

- Subrecipient Service Agreement dated July 14, 2009 between the County of Jefferson and the Development Authority of the North Country
- 24 CFR Part 92

24. Reporting Responsibilities.

- Awardee shall be responsible for completion and submission of HUD Project Set-up Reports and Project Closeout Reports to Authority and Jefferson County
- Awardee agrees to provide its organization's financial statements to the Authority annually

25. Monitoring. Awardee agrees that by accepting these funds that the Development Authority and Jefferson County reserve the right to inspect, monitor, and observe the work and services performed by the Awardee on an annual basis. Access shall be immediately granted to the Development Authority and Jefferson County to any books, documents, papers, and records of the Awardee or its contractors which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

26. Environmental Review. Awardee agrees to comply with all State and Federal environmental laws, rules, regulations and review processes.

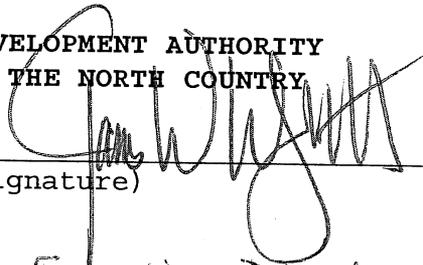
CITY OF WATERTOWN

(Signature)

(Title)

(Date)

DEVELOPMENT AUTHORITY
OF THE NORTH COUNTRY



(Signature)

Executive Director

(Title)

October 5, 2012

(Date)

**NORTH COUNTRY HOME CONSORTIUM
PROJECT APPLICATION - 2012 & 2013 FUNDING CYCLES**

Project Name: City -Wide HOME Repair Program

Date: 2/10/12 Revised 10/3/12

I. TYPE OF HOME ALLOCATION REQUEST:

A. Funding Pool

This application is for the following funding pool (check one):

General Pool (\$230,000 max.)

CHDO Pool

B. Total amount of HOME Request (including administrative fees) \$ 150,000

Number of Units to Receive HOME Assistance 6

C. Eligible Activity

1. Rental:

New Construction

Rehabilitation

Acquisition and Rehabilitation

2. Owner Occupied:

New Construction

Rehabilitation

Acquisition Only

Acquisition and Rehabilitation

II. APPLICANT INFORMATION:

A. Applicant Name: City of Watertown

Address: 245 Washington Street

City/State/Zip: Watertown, New York 13601-3380

Telephone: (315) 785-7720 Fax: (315) 782-9014

Contact Person: Ken Mix, Planning & Community Development Coordinator

Type of Applicant: Sole Proprietor Partnership Corporation
 Non-Profit For Profit

If "Non-Profit", the Applicant is:

501 (c)(3)

501 (c)(4)

Incorporated municipality

Has the Applicant been designated by the Consortium as a CHDO? Yes No

III. PROJECT SUMMARY:

Provide a brief summary of the project. Describe the project; project location or area; describe type of units to be assisted; identify income group served. For rental projects, describe scope of work, unit mix, rent levels, and any special characteristics of the project. If rehabilitation activity, describe scope of work. Include the sponsor of the project, and entity that will manage and implement the HOME program locally.

Tab this section and label as "SCHEDULE 1".

IV. PROJECT INFORMATION:

A. Project Name: City -Wide HOME Repair Program
Address (if known): (various locations in Watertown)

City/County/Zip (if known): Watertown/Jefferson County/ 13601

Name of Local Municipalities Where Project(s) is Located: City of Watertown

Name of Chief Executive Officers for each municipality: Jeffrey E. Graham

B. Number of Buildings with Dwelling Units: 6
Number of Units in Project: 6
Percentage of HOME Assisted Units to Total Units: 100%
Give Acreage or Lot Size of Project, if applicable: n/a
Scattered Site: Yes No

C. 1. Total Project Cost: \$ 150,000.00
2. Total HOME Administrative Request: \$ 8,490.00
3. Total HOME Program Funds Requested (less administrative funding): \$ 141,510.00
4. Number of HOME Assisted Units in Project: 6
5. Total HOME \$/Unit (3 ÷ 4): \$ 23,585.00

D. Will the project result in any "displacement costs"? Yes No

If yes, what actions will be undertaken to provide replacement housing? Outline any displacement costs associated with the proposed project under Schedule B.

E. Need: Please tab this information and label as "SCHEDULE 2".

B. Project Schedule

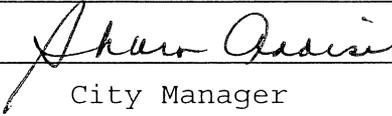
Please complete a Project Schedule outlining the major phases of the project and estimated times of completion.

Tab this section and label as "SCHEDULE 11".

=====

I certify that to the best of my knowledge that the information contained within this application is true and correct.

Name: Sharon Addison

Signature: 

Title: City Manager

Date: 10/3/12

SCHEDULE "A"
SOURCES

| LIST FUNDING SOURCES | AMOUNT | PERCENT OF PROJECT TOTAL |
|----------------------------------|---------------|--------------------------|
| 1. North Country HOME Consortium | \$ 150,000.00 | 100% |
| 2. | \$ | 0% |
| 3. | \$ | 0% |
| 4. | \$ | 0% |
| 5. | \$ | 0% |
| TOTAL | \$ 150,000.00 | 100% |

| SOURCES OF PROJECT FUNDING | | | | |
|---|---------------|--|---|---------------------|
| Sources of Funds | Amount | Type/Terms | Status | Annual Debt Service |
| Name: North Country Consortium (HOME) Address: Contact: Matthew Taylor Telephone: (315) 785-2593 | \$ 150,000.00 | Check Appropriate Item(s): Loan: <input type="checkbox"/> Grant: <input checked="" type="checkbox"/> Equity: <input type="checkbox"/> Construction: <input type="checkbox"/> Permanent: <input type="checkbox"/> "Mini-Perm": <input type="checkbox"/> Complete: Interest Rate: No. of Years: Amort. Period: | Check One: Firm Commitment: <input type="checkbox"/> Conditional Commitment: <input type="checkbox"/> Letter of Intent: <input type="checkbox"/> * (Attach documents as "SCHEDULE 4") | \$ NA (P&I) |

SCHEDULE "B"
USES

Please complete the following schedule of fund uses or you may attach your own detailed listing of project costs (label and attach your detailed listing as "TAB IV". Non-profit organizations may request up to 6% of the HOME project funding cost for administrative costs for the project. The following Uses Schedule must include the use of funds from all proposed funding sources in the project.

XI. PROJECT USES:

| | | |
|---------------------------------------|--|----------------------|
| A. Hard or Actual Construction Costs: | | |
| 1. | Site Development | \$ _____ |
| 2. | Direct Construction Cost: | |
| | New Construction | \$ _____ |
| | Rehabilitation | \$ <u>125,909.00</u> |
| 3. | Surveys and Permits | \$ _____ |
| 4. | Utilities | \$ _____ |
| 5. | Displacement Costs | \$ _____ |
| 6. | Other <u>LBP Inspection</u> (attach detailed description and cost justification) | \$ <u>2,100.00</u> |

TOTAL ACTUAL CONSTRUCTION COST \$ 128,010.00

| | | |
|---------------------|---|----------|
| B. Financial Costs: | | |
| 1. | Direct Construction Loan Interest | |
| | _____ No. of Months _____ Rate | \$ _____ |
| 2. | Interest Reserve | \$ _____ |
| 3. | Other _____ (attach detailed description) | \$ _____ |

TOTAL FINANCIAL COSTS \$ _____

| | | |
|----------------|---|----------|
| C. Land Costs: | | |
| 1. | Land Acquisition | \$ _____ |
| 2. | Land Improvements | \$ _____ |
| 3. | Other _____ (attach detailed description) | \$ _____ |

TOTAL LAND COSTS \$ _____

| | | |
|--|---|---------------------|
| D. Soft or Project Specific Development Costs: | | |
| 1. | Appraisal | \$ _____ |
| 2. | Taxes | \$ _____ |
| 3. | Insurance | \$ _____ |
| 4. | Marketing | \$ _____ |
| 5. | Legal and Accounting | \$ _____ |
| 6. | Architectural | \$ _____ |
| 7. | Developers Fee | \$ _____ |
| 8. | Displacement Costs | \$ _____ |
| 9. | Other <u>Pgm. Delivery</u> (attach detailed description and cost justification) | \$ <u>13,500.00</u> |

TOTAL SOFT COSTS \$ 13,500.00

| | | |
|-------------------------|--|----------------------|
| E. Total Project Costs: | | |
| 1. | Total (A + B + C + D) | \$ <u>141,510.00</u> |
| 2. | Non-Profit Administrative Fee: | |
| | Total Administrative Fee Not to Exceed 6 % of HOME Project Request | \$ <u>8,490.00</u> |

TOTAL PROJECT COST (E.1 + E.2)

150,000.00
\$ _____

SCHEDULE "C"

XII. EXPERIENCE OF DEVELOPMENT TEAM

Developer:

Name of Developer: _____ City of Watertown

Contact Person: _____ Phone: _____

Address: _____

Architect:

Name of Architect: _____

Contact Person: _____ Phone: _____

Address: _____

Contractor:

Name of Contractor: _____

Contact Person: _____ Phone: _____

Address: _____

Property Manager:

Name of Property Manager: _____

Contact Person: _____ Phone: _____

Address: _____

Attorney:

Name of Attorney: _____

Contact Person: _____ Phone: _____

Address: _____

Accountant:

Name of Accountant: _____

Contact Person: _____ Phone: _____

Address: _____

Schedule "C" Continued

Please list those public funding sources the applicant has received awards from in the past including a contact person, phone number, and project name.

1. Funding Organization: HUD Buffalo Office (CDBG)
Contact Person: Cheryl Sullivan
Telephone: 716-551-5755 ext 5808
Project Name: Housing Improvement Program

2. Funding Organization: NYS Office of Community Renewal
Contact Person: Rob Brooks
Telephone: 518-474-2057
Project Name: Emerson Place Redevelopment/ Housing Program

3. Funding Organization: NYS HOUSING Trust Fund Corporation (HOME)
Contact Person: Robert Gallivan/ Matt Ecker
Telephone: 315-473-6938/ 315-473-6938
Project Name: Home Ownership Program/ HOME Improvement Program

4. Funding Organization: NYS Affordable Housing Corporation
Contact Person: Jo Ann Simon
Telephone: 212-668-4000
Project Name: HOME Ownership Program

5. Funding Organization: North Country Consortium
Contact Person: Michelle Capone
Telephone: 315-785-2593
Project Name: Home Ownership Program/ HOME Improvement Program

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Schedule 11 - PROJECT SCHEDULE

All rehabilitation activities under the Local HOME Repair Program will be completed within two years of the contract approval. 10 rehabilitation projects will be selected for the program. This represents a pace that can easily be achieved by the current Program Coordinator and existing staff. The following schedule shows that all HOME funds will be committed and expended within 24 months of the program start date assuming that contracts can be signed and funds released by Spring 2012.

| Program Activity | 2012-2013 Funding |
|--|-------------------|
| Completion of Eligibility Determinations | December 2012 |
| All Projects Selected | March 2013 |
| Completion of Pre-bid Activities | May 2013 |
| Date of Last Project Approval | June 2013 |
| 100% of HOME Funds Committed | June 2013 |
| 50% of HOME Funds Expended | March 2013 |
| 100% of HOME Funds Expended | November 2013 |
| Completion of Program Close-out | December 2013 |

Res No. 7

October 10, 2012

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Authorizing Acceptance of Payments by Credit Card

General Municipal Law (GML) section 5 authorizes governing boards to approve a resolution authorizing municipalities to enter into agreements with financing agencies or card issuers to provide for the acceptance of credit cards. The law authorizes cities to accept payments of “fines, civil penalties, rent, rates, taxes fees, charges, revenue, financial obligations, or other amounts, including penalties, special assessments and interest” by credit card. GML section 5-b authorizes governing boards to approve a resolution to accept the same types of payments via a municipal internet website or the website of a third-party vendor that has contracted with the city to receive payments on its behalf.

Presently Visa and Master Card rules prohibit convenience fees from being added to face-to-face transactions to cover the merchant fees. Convenience fees are allowed to be added to internet transactions. Based on the potential exposure the City has in non-escrowed City property taxes, County property taxes and delinquent school taxes as well as water/sewer utility accounts I am proposing the City only accept these types of payments via credit cards through its website. Visa recently issued a press release in July 2012 indicating that it would be changing its rules on permitting retailers to impose surcharges likely in early 2013.

Staff has selected Xpress-pay.com from Systems East to accept City property taxes, delinquent school property taxes, County taxes, water and sewer charges and refuse tote charges. Systems East has successfully worked with other KVS clients. Customers making payments on-line will be charged a convenience fee of 2.85% of the transaction amount plus an additional \$0.28 per transaction. Customers may also choose to pay with an e-check for a convenience fee of \$2.50. Customers that choose to pay on-line will be redirected seamlessly from the City’s website to a safe and secure site managed by Xpress-pay.com. Customers may select to receive an email when a new bill has been created. Screen shots of a demonstration client on Xpress-pay.com have been included to show the general steps a customer would encounter in making an online payment. Other New York cities using Xpress-pay include Auburn, Binghamton, Cortland, Elmira, Ogdensburg, Oneida, Syracuse and Troy.

The City can elect to accept only certain types of in-person credit card payments for items such as City Clerk fees and refuse stickers such as it does with its concession stand at the Ice Arena provided it is willing to pay the merchant fees as they presently cannot be passed onto the customer per Visa and Master Card.

GML section 5-b also law provides that the State Comptroller shall issue guidelines concerning the use of third-party vendors but to date it has not done so due the implementation of the tax cap. Guidelines are expected by the end of next year.

RESOLUTION

Page 1 of 2

Authorizing Acceptance of Credit
Cards for Payments

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 |
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Introduced by

WHEREAS City Council is desirous of accepting credit card, debit card and other electronic payments from the public as a means of obtaining payments of various payments owed to the City, and

WHEREAS General Municipal Law Section 5 authorizes the City Council to approve a resolution authorizing agreements with financing agencies or card issuers to provide for the acceptance of credit cards as a means of payment of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations, or other amounts, including penalties, special assessments and interest by credit card, and

WHEREAS General Municipal Law Section 5 requires City Council designate its officer in charge of the duty of collecting or receiving moneys on behalf of the City to be authorized to accept credit cards as a payment, and

WHEREAS General Municipal Law Section 5(c) provides that it shall be the option of the City Council to require, as a condition of accepting payment by credit card, that such person offering payment by credit or charge card pay a service fee to the City not exceeding the costs incurred by the City in connection with the credit or charge card payment transaction, including any fee owed by the City to the financing agency or card issuer arising from that transaction, and

WHEREAS General Municipal Law Section 5-b authorizes the City Council to approve a resolution to accept payments of fines, civil penalties, rent, rates, taxes, fees, charges, revenue, financial obligations, or other amounts, including penalties, special assessments and interest via a municipal internet website or the website of a third-party vendor that has contracted with the city to receive payments on its behalf,

RESOLUTION

Page 2 of 2

Authorizing Acceptance of Credit
Cards for Payments

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 |
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| | |

Total

NOW BE IT FURTHER RESOLVED that pursuant to General Municipal Law Section 5-b the City Council determines that it is in the public interest to accept credit card, debit card and other electronic payment methods via its municipal internet website or the website of a third-party vendor that has contracted with the city to receive payments on its behalf for property taxes, water and sewer charges and refuse totes, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to enter into an agreement with Systems East for the providing of an internet payment solution for the City and is further authorized to enter into any agreements necessary with financing agencies or card issuers to facilitate the acceptance of credit cards, debit cards and other electronic payment methods for payment, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to charge a service or convenience fee as a condition of accepting payments by credit card, debit card and other electronic payments, and

BE IT RESOLVED that pursuant to General Municipal Law Section 5 the City Council determines that it is in the public interest to accept in-person credit card and debit card payments for certain Parks and Recreation Department fees, and

BE IT FURTHER RESOLVED that the City Comptroller is authorized to accept all payments made to the City pursuant to any credit card payment, debit card payment or other electronic payment method as well as any electronic internet payment program instituted by the City.

Seconded by



Offering you the convenience and benefits of online payment by eCheck, credit card, or debit card

Pay bills online

Welcome to Xpress-Pay.com. In cooperation with numerous businesses, we offer you the convenience of paying bills and making purchases online.

Terms and Conditions

Xpress-pay.com allows [web](#), [mobile](#), and [telephone/voice](#) payments for bills directly to participating companies. To protect your privacy and security, unless explicitly directed by you, this site will not automatically store any sensitive personal financial information after processing your payment.

For web or telephone payments, your card or banking information is deleted immediately after submitting your transaction. **For mobile payments**, you will have the option to join Xpress-pay network by storing your information, with or without the account number, after completing your payment. Either way, joining will greatly simplify

Accept terms and continue

For Business Officials

Join us

If you are interested in offering this convenience to your customers, [Click here to learn more >>](#)

Administrators

If you are a business registered here and wish to login to administer your account, [Click here to login >>](#)

Select a Bill Type

What to do

Select your state, business, and bill you would like to pay and click **Next**

If you don't see your state, business or bill type listed here, [contact us](#). We may be able to help enroll your business

If you are a business interested in offering this convenience to your customers, [click here to learn more >>](#)

| | |
|---------------|---|
| New York | ▼ |
| Demonstration | ▼ |
| Utility bills | ▼ |

Next

View Cart

Find Your Bill Now

What to do
Enter information about the bills you wish to find. Required fields are marked with an asterisk.

If you can't find your bill, check our [frequently asked questions \(FAQ\)](#)

State of New York, Demonstration Firm, Inc., Utility bills

You may search for your bills by entering information below.

Note: You have selected the demonstration municipality. To locate sample utility bills, use . . .

Account: **J2550**, name **Jones**, or
Account: **S3881**, name **Smith**

. . . and then click "Find bills". Note that your municipality may choose to use different search criteria to expand public access or increase privacy.

Account number: *

Owner's last name: *

* Required

Select a Bill to Pay

What to do
Click **Add to cart** to add a bill to your cart. Payment can be made on the following screens

To ignore these bills and find others, click **Change search**

To search for a different type of bill to pay, click **Change bill type**

To see the bills you have selected so far (if any), click **View cart**

If you see a bill here you believe is paid, you may want to check our [frequently asked questions \(FAQ\)](#) to find out why

State of New York, Demonstration Firm, Inc., Utility bills

This is the list of bills we found that match your criteria. To select a bill for payment, click the **Add to Cart** button to its left.

Note: For utility bills in the sample municipality, a one-time penalty of 10% is added after one month. Once enrolled, you may add additional bill types and adjust interest schedules as needed. For questions, call (000) 000-0000.

Results per page: ▾

| Add to Cart | Description | Amount | Interest | Total |
|--|---|---------|----------|---------|
| <input type="button" value="Add to Cart"/> | Utility bills, 8/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 206481, parcel ID 32.1-50-6 | \$36.24 | \$3.62 | \$39.86 |
| <input type="button" value="Add to Cart"/> | Utility bills, 9/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 211594, parcel ID 32.1-50-6 | \$33.56 | \$3.36 | \$36.92 |

Page: 1 of 1
Previous **1** Next

Select a Bill to Pay

What to do

Click **Add to cart** to add a bill to your cart. Payment can be made on the following screens

To ignore these bills and find others, click **Change search**

To search for a different type of bill to pay, click **Change bill type**

To see the bills you have selected so far (if any), click **View cart**

If you see a bill here you believe is paid, you may want to check our [frequently asked questions \(FAQ\)](#) to find out why



State of New York, Demonstration Firm, Inc., Utility bills

This is the list of bills we found that match your criteria. To select a bill for payment, click the **Add to Cart** button to its left.

Note: For utility bills in the sample municipality, a one-time penalty of 10% is added after one month. Once enrolled, you may add additional bill types and adjust interest schedules as needed. For questions, call (000) 000-0000.

Results per page: 10

| Add to Cart | Description | Amount | Interest | Total |
|--|---|---------|----------|---------|
| <input type="button" value="Add to Cart"/> | Utility bills, 9/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 211594, parcel ID 32.1-50-6 | \$33.56 | \$3.36 | \$36.92 |

Page: 1 of 1

Previous 1 Next

Shopping Cart • Billing & Payment • Confirm Payment

Demonstration mode is on

What to do

These are the bills you have selected for payment. To finalize your payment, click **Proceed to payment**.

Demonstration mode: Information entered will not be verified and your payment will not actually be processed. Though you may select bills from any business, they will not be reflected on your receipt.

| Remove Item | Description | Amount | Interest | Total |
|---------------------------------------|--|---------|----------|---------|
| <input type="button" value="Remove"/> | Demonstration Firm, Inc., State of New York Utility bills, 8/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 206481, parcel ID 32.1-50-6 | \$36.24 | \$3.62 | \$39.86 |

Subtotal: \$39.86

What to do
Please complete all required fields and click **Continue**. Payment will be confirmed on the next page.

Billing Information

Please provide the first and last name [or company name] and address for the account used to make this payment.

| | | |
|---|--|----------------------|
| FIRST NAME* | LAST NAME* | |
| <input type="text"/> | <input type="text"/> | |
| COMPANY | <input type="text"/> | |
| ADDRESS* | ADDRESS 2 | |
| <input type="text"/> | <input type="text"/> | |
| <input type="checkbox"/> This is a P.O. Box | | |
| CITY* | STATE* Please select a State <input type="text"/> | ZIP CODE* |
| <input type="text"/> | <input type="text"/> | <input type="text"/> |
| PHONE* | EMAIL* | |
| <input type="text"/> | <input type="text"/> | |
| ex. XXX-XXX-XXXX | Your email address will be used only to deliver a receipt for this payment | |
| | <input checked="" type="checkbox"/> Send an email when a new bill arrives | |

Select a Payment Method

- Credit/Debit Card** Total: \$0.00 (bill payments of \$0.00 + \$0.00 site fee)
- eCheck** Total: \$0.00 (bill payments of \$0.00 + \$0.00 site fee)

| | | | |
|----------------------|---------------------------|------------------------------|--|
| CREDIT/DEBIT CARD* | CREDIT/DEBIT CARD NUMBER* | CSV# * | EXPIRATION DATE* |
| <input type="text"/> | <input type="text"/> | <input type="text"/> | MM <input type="text"/> YYY <input type="text"/> |
| | | What is CSV? | |

* indicates a required field

What to do
These are the bills you have selected for payment. To finalize your payment, click **process payment**.

Demonstration mode:
Information entered will not be verified and your payment will not actually be processed. Though you may select bills from any business, they will not be reflected on your receipt.

Demonstration mode is on

| Description | Amount | Interest | Total |
|--|---------|----------|---------|
| Demonstration Firm, Inc., State of New York Utility bills, 8/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 206481, parcel ID 32.1-50-6 | \$36.24 | \$3.62 | \$39.86 |

Subtotal: \$39.86
Site fee: \$1.68
Payment total: \$41.54

Thank You for your Payment

This is your receipt for payment. A copy is also being sent to you by email.
Please print this receipt and retain it for your records.

Demonstration mode:

Information entered will not be verified and your payment will not actually be processed.
Though you may select bills from any business, they will not be reflected on your receipt.

| Payment date: | 10/9/2012 11:08:03 PM | Payment type: | credit | |
|--|-----------------------|----------------------|-----------------------|----------------|
| Payer's email: | | Account: | ***** | |
| Transaction ID: | NA | Expiration: | NA | |
| Description | | Amount | Interest | Total |
| Demonstration Firm, Inc., State of New York Utility bills, 8/1/2009 , account J2550, 62 Marshall Avenue, Jones, Robert T, bill# 206481, parcel ID 32.1-50-6 | | \$36.24 | \$3.62 | \$39.86 |
| | | | Subtotal: | \$39.86 |
| | | | Site fee: | \$1.68 |
| | | | Payment total: | \$41.54 |

Demonstration Mode: No charges applied

[Print Receipt](#)

[Start Over](#)

Res No. 8

October 10, 2012

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Authorizing Supplemental Appropriations No. 3 for General, Water, Sewer and Library Funds

The Comptroller's Office is in the process of filing the Annual Financial Report with the New York State Comptroller as required by October 31st as well preparing the financial statements for the independent audit. In connection with these reports it is necessary to transfer budget appropriations between various line items to bring certain accounts within budget. The attached resolution provides for the establishment of a supplemental appropriation to cover overdrawn accounts in the FY2011-12 General, Water, Sewer, and Library Funds.

RESOLUTION

Page 1 of 3

Approving Supplemental Appropriation No. 3
For Fiscal Year 2011-12 for Various Accounts

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 |
|-----|-----|
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Introduced by

RESOLVED by the City Council of the City of Watertown, New York that the total amount of \$273,000 is hereby transferred and appropriated from and to the following accounts of the listed funds for FY 2011-12 for the reasons shown:

GENERAL FUND

| | | | | | | | |
|--------------|------|-----|----------------------------|--------------------------|----|----------------|---------------------------|
| A | 1364 | 430 | PROPERTY ACQUIRED | Contracted Services | \$ | 350 | Under appropriated |
| A | 1440 | 440 | ENGINEERING | Fees, Non-employee | \$ | 4,700 | Under appropriated |
| A | 3120 | 420 | POLICE | Insurance | \$ | 100 | Under appropriated |
| A | 3120 | 450 | POLICE | Miscellaneous | \$ | 1,500 | Under appropriated |
| A | 3120 | 820 | POLICE | Police Retirement System | \$ | 38,000 | Under appropriated |
| A | 3120 | 840 | POLICE | Workers' Compensation | \$ | 1,000 | Under appropriated |
| A | 3410 | 450 | FIRE | Miscellaneous | \$ | 1,500 | Under appropriated |
| A | 3410 | 820 | FIRE | Fire Retirement System | \$ | 4,650 | Under appropriated |
| A | 3410 | 840 | FIRE | Workers' Compensation | \$ | 3,750 | Under appropriated |
| A | 5010 | 810 | MUNICIPAL MAINTENANCE | NYS Retirement | \$ | 3,800 | Under appropriated |
| A | 5142 | 810 | SNOW REMOVAL | NYS Retirement | \$ | 1,750 | Under appropriated |
| A | 5184 | 810 | HYDROELECTRIC PRODUCTION | NYS Retirement | \$ | 100 | No original appropriation |
| A | 5184 | 840 | HYDROELECTRIC PRODUCTION | Workers' Compensation | \$ | 2,600 | Under appropriated |
| A | 5186 | 465 | TRAFFIC CONTROL & LIGHTING | Equipment < \$5,000 | \$ | 500 | Under appropriated |
| A | 5186 | 850 | TRAFFIC CONTROL & LIGHTING | Health Insurance | \$ | 33,950 | Under appropriated |
| A | 7110 | 810 | THOMPSON PARK | NYS Retirement | \$ | 1,000 | Under appropriated |
| A | 7141 | 810 | FAIRGROUNDS | NYS Retirement | \$ | 400 | Under appropriated |
| A | 7143 | 460 | ATHLETIC PROGRAMS | Materials and Supplies | \$ | 350 | Under appropriated |
| A | 7180 | 460 | SWIMMING POOLS | Materials and Supplies | \$ | 200 | Under appropriated |
| A | 7180 | 810 | SWIMMING POOLS | NYS Retirement | \$ | 500 | Under appropriated |
| A | 8160 | 840 | REFUSE AND RECYCLE | Workers' Compensation | \$ | 3,800 | Under appropriated |
| A | 9950 | 900 | OTHER EXPENSES | Capital Fund Transfer | \$ | 150,000 | Under appropriated |
| TOTAL | | | | | \$ | <u>254,500</u> | |
| A | 1230 | 810 | MUNICIPAL EXECUTIVE | NYS Retirement | \$ | (9,000) | |
| A | 1315 | 430 | COMPTRROLLER | Contracted Services | \$ | (10,000) | |
| A | 1440 | 430 | ENGINEERING | Contracted Services | \$ | (7,000) | |
| A | 1440 | 450 | ENGINEERING | Miscellaneous | \$ | (3,300) | |
| A | 1490 | 430 | PUBLIC WORKS ADMIN | Contracted Services | \$ | (12,000) | |

RESOLUTION

Page 2 of 3

Approving Supplemental Appropriation No. 3
For Fiscal Year 2011-12 for Various Accounts

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 |
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|--------------------------|--------------|-----|----------------------------|------------------------|----|------------------|--------------------|
| A | 1620 | 430 | MUNICIPAL BUILDINGS | Contracted Services | \$ | (9,000) | |
| A | 1640 | 460 | CENTRAL GARAGE | Materials and Supplies | \$ | (75,000) | |
| A | 3120 | 455 | POLICE | Vehicle Expense | \$ | (8,000) | |
| A | 3120 | 460 | POLICE | Materials and Supplies | \$ | (7,500) | |
| A | 3410 | 460 | FIRE | Materials and Supplies | \$ | (7,500) | |
| A | 5110 | 455 | MAINTENANCE OF ROADS | Vehicle Expense | \$ | (7,000) | |
| A | 5110 | 460 | MAINTENANCE OF ROADS | Materials and Supplies | \$ | (25,500) | |
| A | 5142 | 455 | SNOW REMOVAL | Vehicle Expense | \$ | (5,000) | |
| A | 5186 | 430 | TRAFFIC CONTROL & LIGHTING | Contracted Services | \$ | (5,000) | |
| A | 5186 | 460 | TRAFFIC CONTROL & LIGHTING | Materials and Supplies | \$ | (6,500) | |
| A | 7020 | 810 | RECREATION ADMINISTRATION | NYS Retirement | \$ | (6,700) | |
| A | 7110 | 455 | THOMPSON PARK | Vehicle Expense | \$ | (7,500) | |
| A | 7140 | 460 | PLAYGROUNDS | Materials and Supplies | \$ | (8,000) | |
| A | 7141 | 410 | FAIRGROUNDS | Utilities | \$ | (4,000) | |
| A | 7141 | 430 | FAIRGROUNDS | Contracted Services | \$ | (6,000) | |
| A | 7265 | 430 | ICE ARENA | Contracted Services | \$ | (5,000) | |
| A | 7265 | 460 | ICE ARENA | Materials and Supplies | \$ | (4,000) | |
| A | 7265 | 840 | ICE ARENA | Workers' Compensation | \$ | (2,000) | |
| A | 8140 | 455 | STORM SEWER | Vehicle Expense | \$ | (5,000) | |
| A | 8140 | 460 | STORM SEWER | Materials and Supplies | \$ | (5,000) | |
| A | 8160 | 455 | REFUSE AND RECYCLE | Vehicle Expense | \$ | (4,000) | |
| | TOTAL | | | | \$ | <u>(254,500)</u> | |
| | | | | | | | |
| <u>WATER FUND</u> | | | | | | | |
| F | 8310 | 460 | WATER ADMINISTRATION | Materials and Supplies | \$ | 200 | Under appropriated |
| F | 8310 | 810 | WATER ADMINISTRATION | NYS Retirement | \$ | 300 | Under appropriated |
| F | 9070 | 800 | OTHER EXPENSES | Compensated Absences | \$ | <u>5,300</u> | Under appropriated |
| | TOTAL | | | | \$ | <u>5,800</u> | |
| | | | | | | | |
| F | 8330 | 460 | WATER PURIFICATION | Materials and Supplies | \$ | <u>(5,800)</u> | |
| | TOTAL | | | | \$ | <u>(5,800)</u> | |
| | | | | | | | |
| <u>SEWER FUND</u> | | | | | | | |
| G | 8130 | 450 | TREATMENT AND DISPOSAL | Miscellaneous | \$ | 100 | Under appropriated |
| G | 8130 | 460 | TREATMENT AND DISPOSAL | Materials and Supplies | \$ | 1,000 | Under appropriated |
| G | 9070 | 800 | OTHER EXPENSES | Compensated Absences | \$ | <u>7,700</u> | Under appropriated |
| | Total | | | | \$ | <u>8,800</u> | |
| | | | | | | | |
| G | 8120 | 460 | SANITARY SEWER | Materials and Supplies | \$ | <u>(8,800)</u> | |
| | Total | | | | \$ | <u>(8,800)</u> | |

RESOLUTION

Page 3 of 3

Approving Supplemental Appropriation No. 3
For Fiscal Year 2011-12 for Various Accounts

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 |
|-----|-----|
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LIBRARY FUND

L 9070 800 OTHER EXPENSES
Total

Compensated Absences \$ 3,900 Under appropriated
\$ 3,900

L 7410 410 LIBRARY
Total

Utilities \$ (3,900)
\$ (3,900)

Seconded by

Res Nos. 9 and 10

October 10, 2012

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Assignment of Tax Sale Certificates

On October 10th the City Comptroller's Office held a public auction of City owned tax sale certificates on certain parcels for which the redemption period had expired but the City did not wish to take title to these parcels. All tax sale certificates included in the auction received bids. The results of the auction are as follows:

| Parcel Number | Address | Bid Amount | Bidder Name |
|----------------------|-------------------|-------------------|-------------------------|
| 07-03-312.000 | 457 Court Street | \$ 3,000 | Clifford K. Pickett Sr. |
| 05-14-103.000 | 1543 State Street | \$ 2,000 | Thomas M. Stanley Jr. |

The required 10% deposit has been received for each tax sale certificate. All of the above high bidders are current with property taxes and have no outstanding issues with Code Enforcement. The following resolutions have been prepared for City Council consideration to accept the high bids submitted and authorize the assignment of the tax sale certificates to the bidders listed above.

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 07-03-312.000 Known as 457 Court Street To Clifford K. Pickett Sr., 225 Mechanic St, Watertown, New York 13601

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 |
|-----|-----|
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Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 457 Court Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-03-312.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on October 10, 2012 as authorized by City Council on September 17, 2012 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$3,0000 submitted by Clifford K. Pickett, Sr. for the purchase of the tax sale certificate for Parcel No. 07-03-312.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Clifford K. Pickett, Sr. upon the Comptroller's receipt of certified funds in the amount of \$3,000.

Seconded by

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale
 Certificate on Parcel Number 5-14-103.000
 Known as 1543 State Street
 To Thomas M. Stanley Jr., 8094 Saintsville Road,
 Kirkville, New York 13082

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 |
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Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 1543 State Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 05-14-103.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on October 10, 2012 as authorized by City Council on September 17, 2012 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$2,000 submitted by Thomas M. Stanley Jr. for the purchase of the tax sale certificate for Parcel No. 05-14-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Thomas M. Stanley Jr. upon the Comptroller's receipt of certified funds in the amount of \$2,000.

Seconded by

Res Nos. 11, 12, 13, 14, 15, 16, 17, 18, 19, 20

October 10, 2012

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Sale of City Property

On October 10th the City Comptroller's Office held a public auction of City owned properties. The results of the auction are as follows:

| <u>Parcel Number</u> | <u>Location</u> | <u>Bid Amount</u> | <u>Bidder</u> |
|----------------------|------------------------|-------------------|----------------------------|
| 12-05-208.000 | 1 Boyd Place | \$ 1,000 | Jeffrey A. Lowe |
| 10-17-116.000 | 507 Holcomb Street | \$ 32,500 | Eric Michael Moore |
| 06-06-321.000 | 660 Huntington Street | (1) \$ 8,000 | Keith Garrett |
| 01-14-201.000 | 753 Rear Main St. West | \$ 125,000 | Ruby C. Williams |
| 01-03-105.000 | 729 Morrison Street | \$ 11,100 | James Desormeau |
| 06-07-217.000 | 611 Olive Street | \$ 27,000 | Thon Vith |
| 12-06-208.000 | 221 Rutland St. South | \$ 25,000 | David and Lucinda Heinisch |
| 03-09-303.000 | 259 Seymour Street | \$ 28,000 | Cavellier Properties Inc. |
| 05-01-103.000 | 1407 State Street | \$ 31,000 | Chad Johnson |
| 01-24-201.000 | 60 Woodley Street | \$ 100 | William Martin |

The required 10% deposit has been received for each parcel. Resolutions authorizing the sale of each property are attached for City Council consideration. All of the above high bidders are current with property taxes with the exception of William Martin who has not yet paid his 2012-13 City tax bill and have none have outstanding issues with Code Enforcement.

Properties included in the auction that did not receive bids were:

| <u>Parcel Number</u> | <u>Address</u> |
|----------------------|-----------------------|
| 1-10-307.000 | 100 Alexandria Avenue |
| 1-10-308.000 | 101 Alexandria Avenue |
| 1-10-310.000 | 103 Alexandria Avenue |
| 11-12-130.001 | VL Flower Avenue East |
| 3-09-101.000 | 36 Stuart Street |
| 01-24-202.000 | 59 Woodley Street |

(1) The original high bid of \$9,000 was subsequently requested to be removed by the bidder, Eric Michael Moore. The second highest bidder, Keith Garrett, was contacted and agreed to honor his bid amount of \$8,000. The high bidder recognizes his loss of his 10% deposit.

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 1 Boyd Place to
Jeffrey A. Lowe, 2 Boyd Place,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 1 Boyd Place, approximately 40' x 60' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 12-05-208.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$1,000.00 submitted by Jeffrey A. Lowe for the purchase of Parcel No. 12-05-208.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 1 Boyd Place to
Jeffrey A. Lowe, 2 Boyd Place,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Jeffrey A. Lowe upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 507 Holcomb Street to
Eric Michael Moore, 935 Sherman Street,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 507 Holcomb Street, approximately 51' x 79' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 10-17-116.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$32,500 submitted by Eric Michael Moore for the purchase of Parcel No. 10-17-116.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 507 Holcomb Street to
Eric Michael Moore, 935 Sherman Street,
Watertown, New York 13601

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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Eric Michael Moore upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 660 Huntington Street to
Keith Garrett, 25690 East Gotham Road,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 660 Huntington Street, approximately 54' x 180' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 06-06-321.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$8,000 submitted by Keith Garrett for the purchase of Parcel No. 06-06-321.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 660 Huntington Street to
Keith Garrett, 25690 East Gotham Road,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Keith Garrett upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 753 Rear Main Street West to
Ruby C. Williams, 223 LeRay Street,
Black River, New York 13612

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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 753 Rear Main Street West, approximately 114' x 420' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-14-201.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$125,000 submitted by Ruby C. Williams for the purchase of Parcel No. 01-14-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 753 Rear Main Street West to
Ruby C. Williams, 223 LeRay Street,
Black River, New York 13612

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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ruby C. Williams upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 729 Morrison Street to
James Desormeau, 739 Morrison Street,
Watertown, New York 13601

| |
|--------------------------------------|
| 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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 729 Morrison Street, approximately 66' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-03-105.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$11,100.00 submitted by James Desormeau for the purchase of Parcel No. 01-03-105.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 729 Morrison Street to
James Desormeau, 739 Morrison Street,
Watertown, New York 13601

| |
|--------------------------------------|
| 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

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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to James Desormeau upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 611 Olive Street to
Thon Vith, 629 Lillian Street,
Watertown, New York 13601

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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 611 Olive Street, approximately 50' x 102' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 06-07-217.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$27,000 submitted by Thon Vith for the purchase of Parcel No. 06-07-217.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
 Known as 611 Olive Street to
 Thon Vith, 629 Lillian Street,
 Watertown, New York 13601

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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Thon Vith upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 221 Rutland Street South to
David and Lucinda Heinisch, 1247 Minerva Avenue,
West Islip, New York 11795

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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 221 Rutland Street South, approximately 55' x 110' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 12-06-208.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$25,000 submitted by David and Lucinda Heinisch for the purchase of Parcel No. 12-06-208.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 221 Rutland Street South to
David and Lucinda Heinisch, 1247 Minerva Avenue,
West Islip, New York 11795

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

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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to David and Lucinda Heinisch upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 259 Seymour Street to
Cavellier Properties Inc. 16747 Co. Rt. 155,
Watertown, New York 13601

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

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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 259 Seymour Street, approximately 50' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 03-09-303.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$28,000 submitted by Cavellier Properties, Inc. for the purchase of Parcel No. 03-09-303.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 259 Seymour Street to
Cavellier Properties Inc. 16747 Co. Rt. 155,
Watertown, New York 13601

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

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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Cavellier Properties, Inc. upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 1407 State Street to
Chad Johnson, 329 Broadway Avenue West,
Watertown, New York 13601

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 |
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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 1407 State Street, approximately 65' x 120' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 05-01-103.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$31,000 submitted by Chad Johnson for the purchase of Parcel No. 05-01-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 1407 State Street to
Chad Johnson, 329 Broadway Avenue West,
Watertown, New York 13601

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| 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 |

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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Chad Johnson upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 60 Woodley Street to
William Martin, 576 Snell Street,
Watertown, New York 13601

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| 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 |

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Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 60 Woodley Street, approximately 50' x 73' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-24-201.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100 submitted by William Martin for the purchase of Parcel No. 01-24-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 60 Woodley Street to
William Martin, 576 Snell Street,
Watertown, New York 13601

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 |
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BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to William Martin upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

Ord No. 1

October 11, 2012

To: The Honorable Mayor and City Council

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

Subject: Changing the Approved Zoning Classifications of 63 Properties, Between Main Street West and the Black River, in Order to Conform to the Local Waterfront Revitalization Program

The Planning Board reviewed the above subject request at its September 4th and October 2nd meetings and passed a resolution at the latter meeting recommending approval, after making several changes. Those changes are reflected on the attached documentation.

The Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion that the project does not have any county-wide or inter-municipal issues, and is of local concern only.

On October 9, 2012, Bruce Boulrice contacted the Planning Office regarding his property at 481 Poplar Street, parcel 1-17-535. He stated that he would like for his property to remain available for use as an office, either by staying in the Light Industry District, or by changing to the Neighborhood Business District (NBD). In the attached letter, he requests the NBD option.

If the City Council wishes to make the change requested by Mr. Boulrice, then staff should be directed to change the ordinance before setting the public hearing. If 481 Poplar Street is changed, the neighboring property to the north, 487 Poplar Street, parcel 1-17-533, should also be changed to NBD rather than Residence C as currently depicted.

This ordinance includes 532 Coffeen Street, which was inadvertently left out of the last zone change ordinance. It also changes Parcel Number 1-14-301, which is part of 753 Rear Main Street West and currently owned by the City, to Waterfront District. This is property was put up for auction on October 10th and the high bid was made by Ruby C. Williams in the amount of \$125,000.

Copies of maps showing the existing zoning and this proposed rezoning are included within City Council Members' Agenda Packages. Attached to this memo are copies of the reports prepared for the Planning Board and excerpts from the Planning Board Minutes.

A Public Hearing is required before the City Council may vote on this Ordinance. It is recommended that a Public Hearing be scheduled for 7:30 p.m. on Monday, November 5, 2012.

ORDINANCE

Page 1 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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

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Introduced by

BE IT ORDAINED where certain changes to Zoning District boundaries are required in order to implement the City of Watertown’s Local Waterfront Revitalization Program, and

WHEREAS City Staff have submitted a request to change the approved zoning classification of certain properties between the Black River and Main Street West, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on October 2, 2012, and adopted a motion recommending that the City Council approve the zone changes as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request at its September 25, 2012 meeting and determined that the proposal has no inter-municipal or county-wide issues and is of local concern only, and

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

WHEREAS a public hearing was held on the proposed zone change on November 5, 2012, 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,

ORDINANCE

Page 2 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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.

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NOW THEREFORE BE IT ORDAINED that the zoning classification of the following parcel is hereby changed to **Residence C District**:

- 1-17-103.000 815 ANNE ST
- 1-17-104.000 811 ANNE ST
- 1-17-204.000 839 ANNE ST
- 1-17-205.000 835 ANNE ST
- 1-17-206.000 831 ANNE ST
- 1-17-207.000 827 ANNE ST
- 1-17-208.000 823 ANNE ST
- 1-17-301.000 859 ANNE ST
- 1-17-302.000 855 ANNE ST
- 1-17-303.000 855 ANNE ST
- 1-17-304.000 843 ANNE ST
- 1-17-504.000 818 ANNE ST
- 1-17-505.000 822 ANNE ST
- 1-17-506.000 826 ANNE ST
- 1-17-507.000 830 ANNE ST
- 1-17-508.000 834 ANNE ST
- 1-17-510.000 840 ANNE ST
- 1-17-511.000 844 ANNE ST
- 1-17-512.000 848 ANNE ST
- 1-17-513.000 M54 ANNE ST
- 1-17-533.000 487 POPLAR ST
- 1-17-535.000 481 POPLAR ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Neighborhood Business District**:

- 1-01-301.001 557 REAR MAIN ST W
- 1-01-302.000 549 MAIN ST W
- 1-01-305.000 531 MAIN ST W
- 1-14-101.000 412 MAPLE AVE
- 1-14-103.000 418 MAPLE AVE
- 1-14-104.000 424 MAPLE AVE
- 1-14-105.000 428 MAPLE AVE
- 1-14-106.000 432 MAPLE AVE
- 1-14-107.000 432 MAPLE AVE
- 1-14-108.000 440 MAPLE AVE

ORDINANCE

Page 3 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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 |
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Total

- 1-14-111.100 729 MAIN ST W
- 1-17-403.000 925 MAIN ST W
- 1-17-515.000 466 HOLLY ST
- 1-17-516.000 466 HOLLY ST
- 1-17-519.000 877 MAIN ST W
- 1-17-520.000 871 MAIN ST W
- 1-17-521.000 867 MAIN ST W
- 1-17-522.000 861 MAIN ST W
- 1-17-523.000 855 MAIN ST W
- 1-17-524.000 851 MAIN ST W
- 1-17-525.000 845 MAIN ST W
- 1-17-526.000 833 MAIN ST W
- 1-17-527.000 833 MAIN ST W
- 1-17-528.000 827 MAIN ST W
- 1-17-529.000 819 MAIN ST W

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Commercial District**:

- 1-18-101.001 VL-4 VANDUZEE ST
- 1-18-103.000 470 VANDUZEE ST
- 1-18-103.001 444 VANDUZEE ST
- 1-18-104.000 476 VANDUZEE ST
- 1-18-105.000 VL MAIN ST W
- 1-19-101.000 471 VANDUZEE ST
- 1-19-101.001 471 VANDUZEE ST
- 1-19-102.000 475 VANDUZEE ST
- 1-19-103.000 VL-6 VANDUZEE ST
- 1-19-103.001 1003 MAIN ST W
- 1-19-104.000 VL-8 VANDUZEE ST
- 7-08-204.000 532 COFFEEN ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Light Industrial District**:

- 1-14-121.000 591 REAR MAIN ST W

ORDINANCE

Page 4 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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 |
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1-14-125.000 611 MAIN ST W
 77-01-001.000 1 CONRAIL (only the portion between Main Street West and the Black River)

And,

BE IT FURTHER ORDAINED that parcel 1-14-301, a part of the property known as 753 Rear Main Street West, located along the bank of the Black River, is hereby changed to **Waterfront District**, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect these changes, 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 – Local Waterfront Revitalization Program (Phase 7)

DATE: September 26, 2012

Request: Changing the approved zoning classifications of 60 properties, between West Main Street and the Black River, in order to conform to the Local Waterfront Revitalization Program

Applicant: City Staff

Owner: Various

SEQRA: Unlisted

County review: Required

Comments: After preliminary review by this Board on September 4th, Staff is now requesting a formal recommendation on the seventh phase of LWRP zone changes. Notices of the proposed changes were mailed to property owners on Wednesday, September 19th.

As a result of public response, one potential existing use conflict was brought to light. The vacant lot at M55 Anne Street (corner of Anne and Holly Streets) is currently used as accessory parking for the bakery supply store across the street (at 465 Holly Street). This parcel is currently marked for change to Residence C, which would make its use as a parking lot non-conforming.

M55 Anne Street may be left as Light Industry. If this is done, staff suggests that the parcels to the northeast, along the east margin of Holly Street, be changed to Neighborhood Business rather than Residence C.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II

Excerpt from the Minutes – Planning Board 10/2/2012

**LWRP ZONE CHANGES – PHASE 7
MAIN STREET WEST AREA**

The Planning Board then considered a request submitted by Staff to change the approved zoning classifications of 60 properties, between Main Street West and the Black River, in order to conform to the Local Waterfront Revitalization Program.

Mr. Mix explained the request and outlined the community response after notices were mailed.

He noted that CSX was opposed to changing its right-of-way from Heavy to Light Industry, and changing the houses which abut the railroad near Anne Street from Light Industry to Residence C. They are concerned that the intensive use of the track is a Heavy Industrial use, and would be detrimental to nearby housing. Mr. Mix noted that the railroad is a transportation corridor and questioned whether it really needed to be zoned at all—similar to a street or highway. He also noted that the housing in question is preexisting, so the argument against residential development is also of questionable relevance.

Mr. Mix continued, noting that a bakery supply warehouse had a parking lot which would be negatively impacted by the changes, as outlined in the Staff Report. M55 Anne Street should not be changed, and the rest of the properties on the east side of Holly Street should be changed to Neighborhood Business District.

He also noted that Chiappone's Tire Warehouse, if changed to NBD as proposed, would still be allowed, but would become subject to a Special Use Permit. Future use would also be limited in the event that the owners wished to sell the facility.

Mrs. Freda asked if Chiappone's would be allowed to stay indefinitely.

Mr. Mix replied that they would, unless the business ceased for a full year, in which case they would need to come in for a Special Use Permit.

Mr. Katzman noted that he owns property on Main Street West, and continued that he believes that the Chiappone's property should be left alone for the benefit of Mr. Chiappone's heirs.

Joe Roselli, 437 Broadway, of Chiappone's Tire Warehouse approached the Board. He stated that he would like to see the zoning left alone.

Mr. Katzman asked if it would be possible to use the Commercial District here. Mr. Mix stated that it would be spot zoning.

Mrs. Freda asked if Chiappone's had a long term plan, and if they planned to leave their building any time soon.

Mr. Roselli stated that they will operate as long as possible at their location. They are in it for the long haul. He noted they do not actually have any river frontage.

Mr. Coburn stated that he supports removing Chiappone's from the change proposal. Mr. Mix noted that the two properties to the west (across Edmund Street) would also need to be removed.

There was some general discussion regarding the railroad. Mrs. Freda asked where the remaining Heavy Industry areas in the City are. Mr. Mix noted that a large area around Air Brake was still HI, and also the Cleaves property north of Main St W.

Mr. Fontana moved to recommend approval of the request submitted by Staff to change the approved zoning classifications of 60 properties, between Main Street West and the Black River, in order to conform to the Local Waterfront Revitalization Program, with the following changes:

1. M55 Anne Street shall be removed from the proposal, and the rest of the properties fronting the east side of Holly Street be changed to Neighborhood Business District.
2. 557 Main St. W., 575 Main St. W., and 595 Main St. W. shall be removed from the proposal.

Mr. Coburn seconded, all voted in favor.

Mr. Davis moved to adjourn. Mr. Fontana seconded, all voted in favor.

The meeting adjourned at 4:20 pm.

Excerpt from the Minutes – Planning Board 9/4/12

**LWRP ZONE CHANGES – PHASE 7
PROPOSED CHANGES – WEST MAIN STREET**

Mr. Mix outlined the preliminary proposal for the area between West Main Street and the Black River. He noted that much of this proposal is simply fixing split zoning. Notably, the Vanduzee Street “barns” are not included because there is currently no feasible non-industrial use. One possible non-conforming use would be 475 Vanduzee Street, which appears to be some type of machine shop.

Mrs. Freda noted that the entire 800 block of West Main Street appears to be residential, and that it may not make sense to leave it zoned Neighborhood Business. Using Residence C might help protect the neighborhood and induce investment. Mr. Mix noted the heavy traffic on West Main Street may have a stronger affect on that block than the zoning does, but that staff would take another look at that area.

The Board agreed that the proposed changes looked appropriate.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 27, 2012



Andrew Nichols, Planner
City of Watertown
245 Washington Street, Suite 304
Watertown, NY 13601

Re: The City of Watertown, Zoning Text Amendment, JCDP File # C 08 - 12

Dear Andrew:

On September 25, 2012, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

The local board is free to make its final decision.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

E. Hartley Bonisteel
Community Development Coordinator

EHB

002/003
October 9, 2012

To Whom it may Concern:

In reference to the letter I received from Mr. Nichols concerning the zoning change on my property located at 481 Poplar St. Parcel ID 1-0017-635,000. I would like to have the zoning changed from its present status of Industrial to Neighbor Business District.

If I need to fill out any applications or forms please let me know as I am presently visiting family in Arizona and not in the Watertown area.

I can be reached at 602-616-4613 or

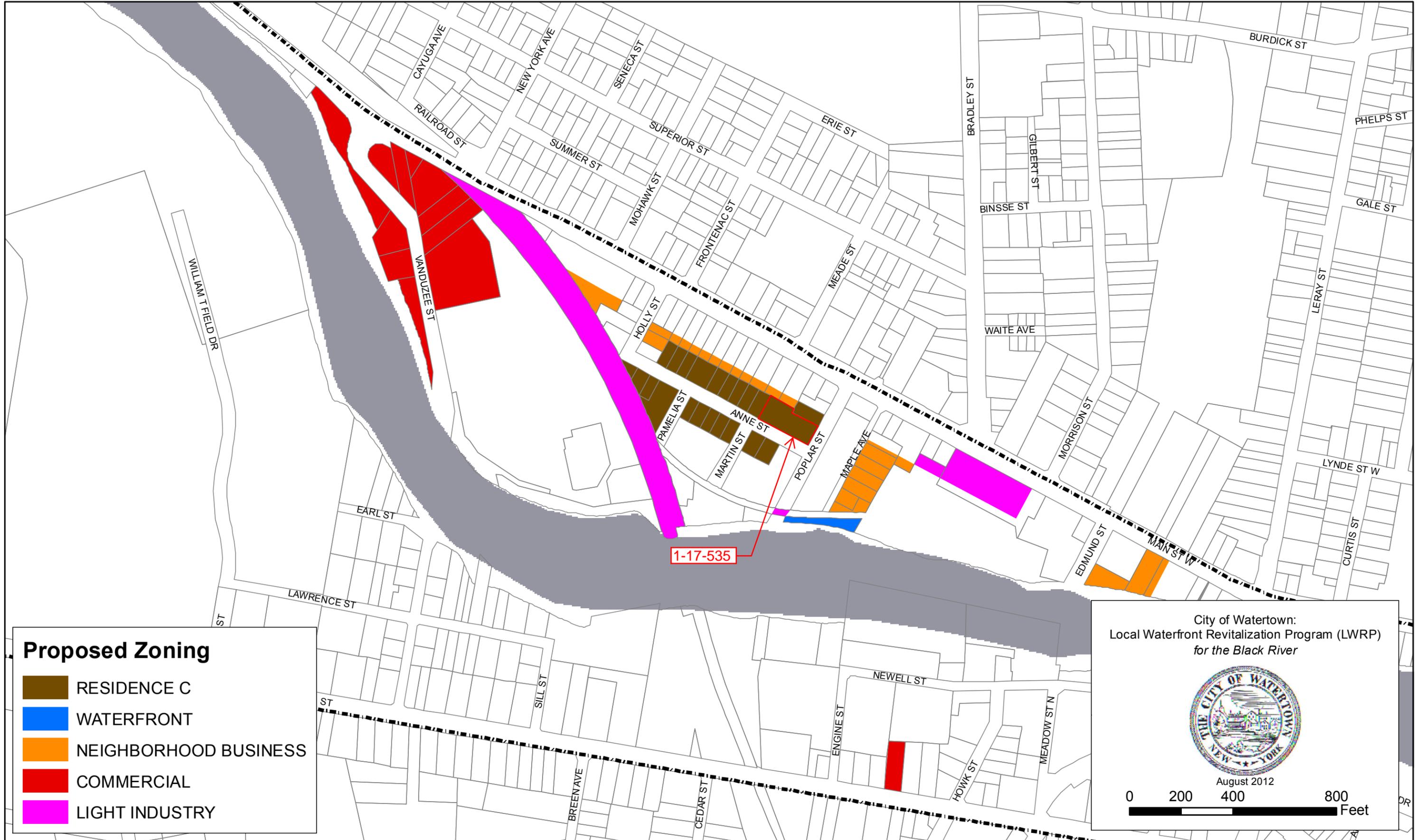
Bruce Boulrice
18041 N. 3rd Pl.
Phoenix, Az. 85022

Any consideration would be greatly appreciated.

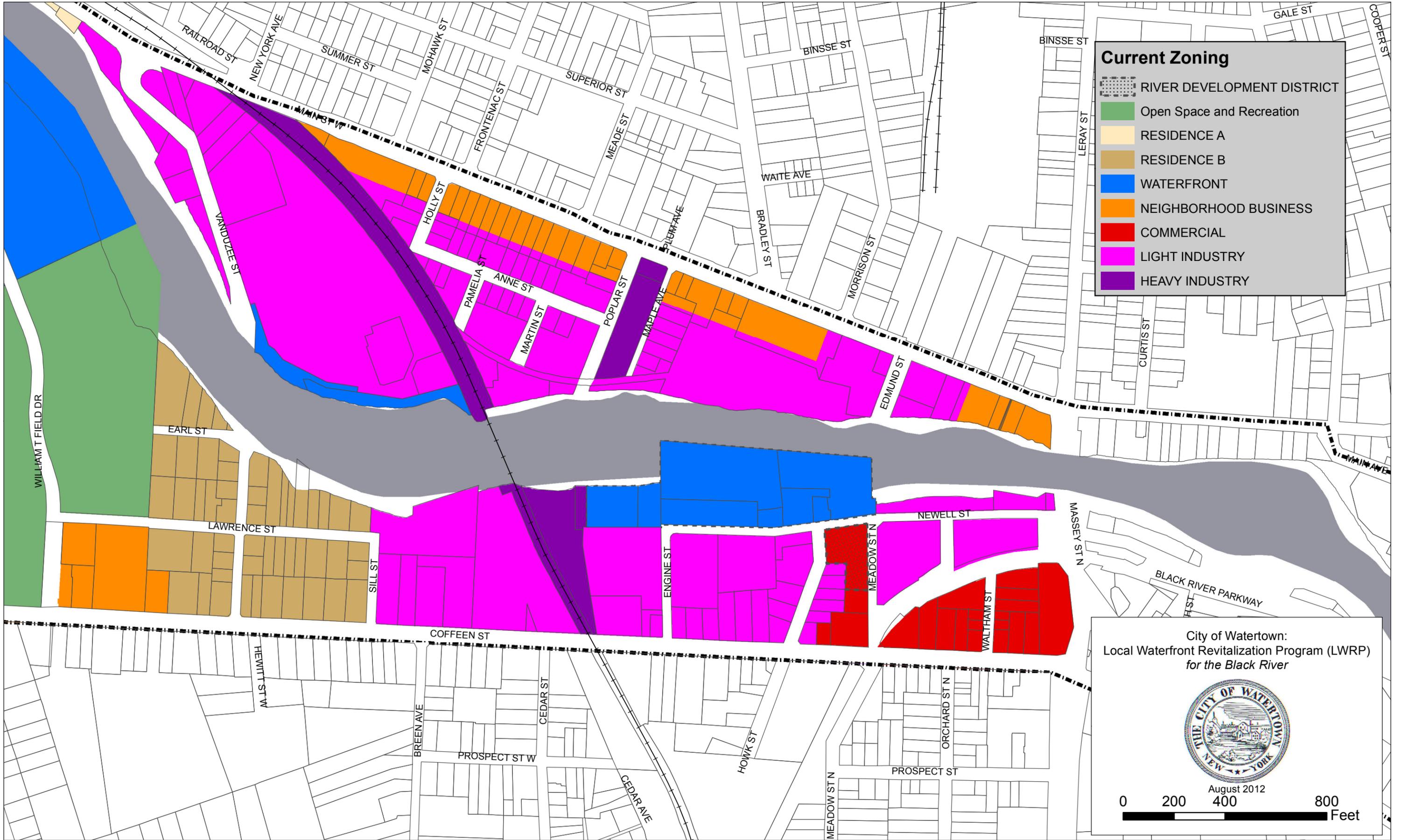
Thank You

Bruce Boulrice

LWRP Proposed Zoning - Phase 7 - Main St West



Coffeen and Main Street Zoning



Current Zoning

- RIVER DEVELOPMENT DISTRICT
- Open Space and Recreation
- RESIDENCE A
- RESIDENCE B
- WATERFRONT
- NEIGHBORHOOD BUSINESS
- COMMERCIAL
- LIGHT INDUSTRY
- HEAVY INDUSTRY

City of Watertown:
Local Waterfront Revitalization Program (LWRP)
for the Black River

August 2012

0 200 400 800 Feet

Old Business

October 10, 2012

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

At the regular meeting of the City Council on October 1, 2012, the attached ordinance was introduced and seconded. At that time, Council did not agree to Unanimous Consent and as such, the ordinance now appears under old business in this week's agenda. This ordinance was also discussed at the October 9 Work Session.

ORDINANCE

Page 1 of 2

Amending Section A320 of the City Code, Fees

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 |
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Introduced by

Council Member Roxanne M. Burns

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

§ A320-4. Schedule of Fees.

- A. The schedule for general admission to the City’s fairgrounds municipal arena shall be established and enforced as follows:
 - (12) Food concessions: Event promoters shall be charged a flat rate of \$250 for the right to allow concessions at their event. An additional \$750 shall be charged if the event promoter desires the City concession stand to be closed during the duration of said event.
 - (13) Parking: The City reserves the right to charge a concert/performance event promoter \$1,500 for parking by attendees.

and,

BE IT FURTHER ORDAINED that Section A320-9 of the City Code of the City of Watertown is hereby amended by adding the following paragraphs:

§ A320-9. Schedule of fees.

Municipal fairgrounds facility fees shall be as follows:

- N. Food concessions: Event promoters shall be charged a fee of \$250 per vendor, per event, for the right to allow food concessions at their event.
- O. Parking: The City reserves the right to charge a concert/performance event promoter \$3,000 for parking by attendees.

ORDINANCE

Page 2 of 2

Amending Section A320 of the City Code, Fees

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 |
|-----|-----|
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| | |

and,

BE IT FURTHER ORDAINED that this amendment 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 Council Member Teresa R. Macaluso

October 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Proposed No Parking Restriction, Jefferson Street

Staff is requesting Council authorization to present an ordinance restricting parking on Jefferson Street. Specifically, the proposed ordinance would designate the first 50 feet on Jefferson Street, from the High Street intersection, as no parking on both sides of the road.

This parking restriction has been requested by the Police and Public Works departments in order to allow vehicles to turn safely through the narrow intersection. Emergency and Public Works vehicles currently have a difficult time navigating this intersection and enacting a no parking zone in this section of Jefferson Street would alleviate the issue. Color photos of the intersection are attached to this report for Council's reference.

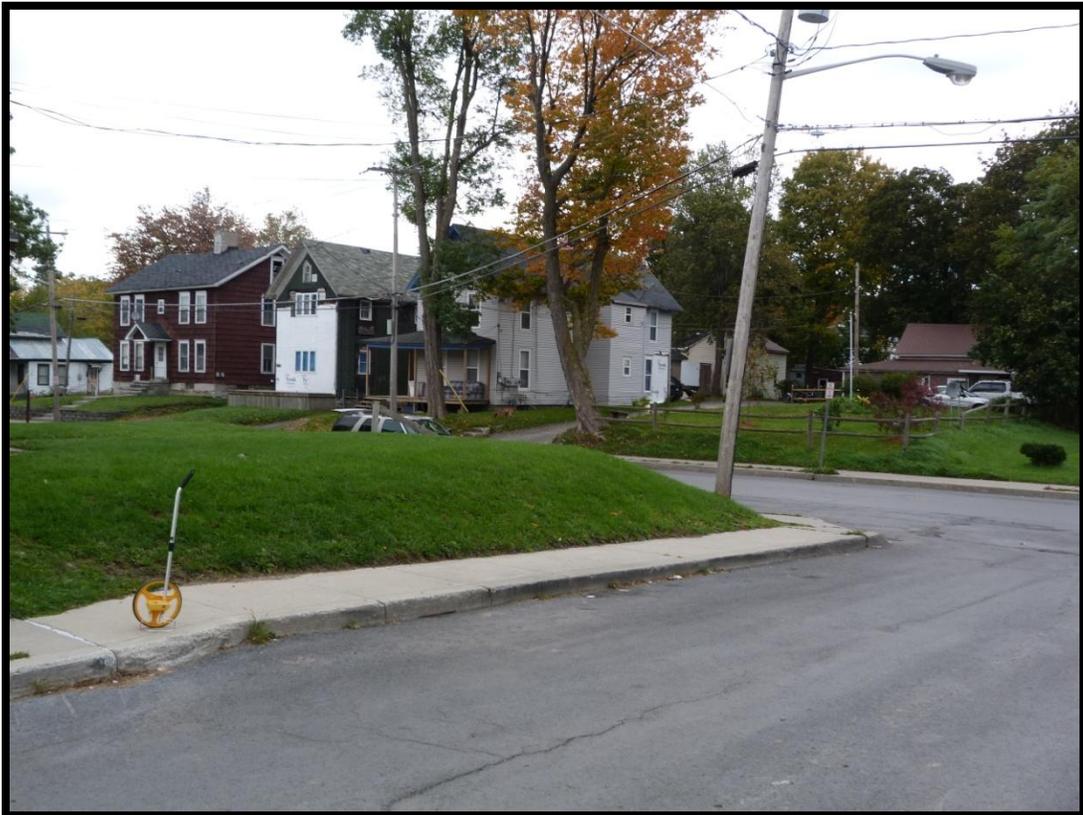
Staff will be available at Monday's meeting to answer any questions relative to this proposal. If Council authorizes the preparation of this legislation, it will be included with the November 5 City Council agenda.

Jefferson Street



Proposed 50 ft NO PARKING Ordinance
To be located along the north side of Jefferson Street
Beginning at the intersection with High
Street and extending westerly for a distance of 50 ft.

Jefferson Street



October 10, 2012

To: The Honorable Mayor and City Council
From: Brian Phelps, City Assessor
Subject: VL Huntington St

At the September 17, 2012 City Council meeting I reported on the circumstances surrounding a piece of property known as VL Huntington Street that was formerly known as parts of Gardner and Salisbury Avenues.

I was asked at that meeting to confer with Attorney Slye and to report back on the appropriateness of deleting this parcel of land from the assessment records in order to rectify what is perceived as the mistaken actions that led to their inclusion on the records (the issuing of a quit claim deed by the City to Sara Daniels).

I have since conferred with City Attorney Slye on the matter and also met with Sara Daniels and City Manager Sharon Addison. It is apparent from the conversation with Ms. Daniels and prior conversations with Thomas O' Riley and Mr. & Mrs. Maitland, the dispute and hard feelings have not changed much since the 2007 Supreme Court decision that purported to "settle" the issue.

I have been told there have been allegations of recent criminal acts regarding these parties and the property dispute. I understand the desire to find a legislative or administrative solution to make the problem go away, however:

1. The removal of the parcel from City records would have absolutely no bearing on who has rights to the property and would do nothing to resolve the ongoing dispute. If anything, the removal would appear that the City is taking sides in this private dispute and redirect anger towards the City.
2. The only lands that are appropriately missing (not part of a designated parcel) on the assessment records are public streets. In the City of Watertown, public streets are owned and dedicated by the City of Watertown or in a few instances the State of New York. Although the fee simple ownership of the property has been questioned, the one certainty is that the property does not belong to the City of Watertown.
3. Proposed streets and waterways that were routinely not recorded in the past are now being recorded as ownership is determined on an ad hoc basis. Removing this private property from City records would be counter to this direction and would resolve the private dispute at hand.