

**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, November 16, 2009, 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

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Approving the "How to Avoid an Article 78 Proceeding" Workshop on November 18, 2009 as Valid training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement
- Resolution No. 2 - Commissioner of Deeds
- Resolution No. 3 - Reappointment to Board of Assessment Review, David R. Steyer
- Resolution No. 4 - Reappointment of City Constable, David W. Koster
- Resolution No. 5 - Appointment of Deputy City Constable, Patricia J. Hennegan
- Resolution No. 6 - Reappointment to Board of Ethics, Mary M. Corriveau
- Resolution No. 7 - Reappointment to Board of Ethics, Rande S. Richardson
- Resolution No. 8 - Reappointment to Board of Ethics, James D. St. Croix
- Resolution No. 9 - Reappointment to Board of Ethics, Arthur C. Stever, III
- Resolution No. 10 - Appointment of Board of Ethics, Frank A. Seminerio

- Resolution No. 11 - Reappointment to Community Action Planning Council, Peter L. Clough
- Resolution No. 12 - Accepting Bids for Air Fill System, SAFAIR Breathing Air Services
- Resolution No. 13 - Approving Production Agreement Between the City of Watertown and Steve Weed Productions
- Resolution No. 14 - Approving Sale of Real Property Known as 122 Ten Eyck Street, Parcel No. 10-15-101.001 to the Development Authority of the North Country
- Resolution No. 15 - Approving Special Use Permit Request Submitted by Mark Bonner to Allow an Auto Sales Lot and Auto Detailing Operation Located at 804 State Street, Parcel No. 12-06-322

ORDINANCES

- Ordinance No. 1 - Amending City Code Chapter A 320, Article V, § 320-6, Schedule of Fees

LOCAL LAW

PUBLIC HEARING

OLD BUSINESS

STAFF REPORTS

1. City Bus Fares, Fixed Rate, Unlimited Monthly Pass
2. Watertown Hockey Association, Bulk Ice Time

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY, DECEMBER 7, 2009.

November 7, 2009

To: The Honorable Mayor and City Council

From: Jacqueline Longton, Planner

Subject: Approving the "How to Avoid an Article 78 Proceeding" Workshop on November 18, 2009 as Valid Training for Meeting the New York State Municipal Planning and Zoning Officials Training Requirement.

The City Council, Planning Board and Zoning Board of Appeals are subject to the four-hour training requirement that the State Legislature adopted as Chapter 662 of the Laws of 2006, which took effect January 1, 2007. The State Law requires that the City Council approve courses before they can be used to meet the training requirement. Attached is a pamphlet describing the requirement. The City's Attorney, Robert J. Slye, has reviewed the law and determined that it applies to the Council because it approves Site Plans.

Also, attached is a flyer for a workshop on "How to Avoid an Article 78 Proceeding" to be held on Wednesday November 18, 2009, from 6:30 p.m. till 8:30 p.m. at Jefferson Community College. Upon review of the agenda, Staff believes that this workshop meets the intent of the State legislation for training and will, therefore, qualify as two hours toward meeting the training requirement upon approval of the City Council. The flyer was sent to Planning Board and Zoning Board of Appeals members so they can sign-up for the training. A resolution approving training has been prepared for the Council's consideration.

RESOLUTION

Page 1 of 1

Approving the "How to Avoid an Article 78 Proceeding" Workshop on November 18, 2009 as Valid Training for Meeting the New York State municipal Planning and Zoning Officials Training Requirement.

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

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Total

Introduced by

WHEREAS the New York State Chapter 662 of the Laws of 2006, which took effect on January 1, 2007 requires all municipal planning and zoning officials to have four hours of training per year, and

WHEREAS the training must be approved by the City Council before it can be used to meet the training requirement, and

WHEREAS the Jefferson County Department of Planning, the NYS Tug Hill Commission, and the Center for Community Studies at JCC are co-sponsoring a training session called "How to Avoid an Article 78 Proceeding" for local planning officials on November 18, 2009 from 6:30 p.m. to 8:30 p.m. at Jefferson Community College,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the "How to Avoid an Article 78 Proceeding" workshop is approved to provide two hours of training toward meeting the New York State Municipal Planning and Zoning Officials training requirement.

Seconded by

Where is training currently available?

- Free training is readily available throughout the state.
- The Department of State hosts training courses throughout the state at various locations around the state. (www.dos.state.ny.us)
- Other state agencies also provide training courses including the Department of Agriculture and Markets (www.agmkt.state.ny.us), the Office of the State Comptroller (www.osc.state.ny.us), and The Department of Environmental Conservation (www.dec.state.ny.us), to name just a few.
- State Associations including the Association of Towns (www.nytowns.org), the Conference of Mayors (www.nycom.org) and the NY Planning Federation (www.nypf.org) offer training and hold annual conferences which include a variety of training opportunities.
- The New York Municipal Insurance Reciprocal has free training available on line. (www.nymir.org/zoning_reg.shtml)
- Pace University and Land Use Law Center provides land use training, some of which may be used from home as distance learning. (www.law.pace.edu/landuse).
- Other universities and colleges also often offer training. (See e.g. Albany Law School, Government Law Center www.albanylaw.edu).
- The Lincoln Institute of Land Use Policy has designed a series of on line courses on critical land and land related tax policies. (www.lincolneducationonline.org)
- Many counties and municipalities and regional planning councils offer their own training.
- Self study may also be used if approved by a municipality.

Will additional planning and zoning training programs be available to municipalities?

- Yes, new training opportunities are in the works and will begin to be available at the start of 2007.

Promoting the Training of Municipal Planning and Zoning Officials Fact Sheet

In 2006 the state Legislature approved a bill, sponsored by Senator George H. Winner, Jr. and Assemblywoman Sandra R. Galef, to establish minimum training requirements for municipal planning and zoning officials. It was signed into law by the Governor as Chapter 662 of the Laws of 2006 and takes effect January 1, 2007. The new law calls for a minimum training standard of four hours each year for members of county, city, town, and village planning and zoning boards. The purpose of this fact sheet is to help answer some commonly asked questions as well as point to sources of training and further information.



Contact Information

Legislative Commission on Rural Resources

Tel. 518.455.2544; E-mail: rurales@senate.state.ny.us

New York Planning Federation

Tel. 518.270.9855; Web site: www.nypf.org

Association of Towns of the State of New York

Tel. 518.465.7933; Web site: www.nytowns.org

New York State Conference of Mayors

Tel. 518.463.1185; Web site: www.nycom.org

New York State Department of State

Tel. 518.474.4750; www.dos.state.ny.us

Published by:
**NYS Legislative Commission
 on Rural Resources**

Senator George H. Winner, Jr., Chairman

In cooperation with:
New York Planning Federation

**Association of Towns of the
 State of New York**

**New York State Conference of Mayors
 and Municipal Officials**

New York State Department of State

New York State Builders Association

New York Farm Bureau

What the new law does?

- Requires that a minimum of four hours of training be received by municipal planning and zoning officials including county planning board members, each year.

Why the law was passed?

- In New York state, cities, towns and villages have primary responsibility to regulate private land use through citizen planning boards and zoning boards. Their actions have a profound impact on state and local land use policies and individual land owners.
- Well considered and timely decisions by municipal boards and commissions attract quality community development, and result in fewer lawsuits and lower costs for municipal liability insurance.
- The new law promotes a minimum training standard for planning and zoning board members throughout the state at no or minimal fiscal impact, while allowing municipalities a wide latitude in the training opportunities they may authorize members to receive.

Who supported passage of the new law?

- The new law received broad-based support from many organizations and individuals.

Wasn't training already provided for by law prior to passage of Chapter 662?

- While individual municipalities could require training of planning and zoning board members, and some already do so, there was no uniform statutory training standard for municipal planning and zoning officials in New York.

When does the new law take effect?

- The law takes effect on January 1, 2007.

Are there any exceptions in the new law?

- A municipality with a population of one million or more is exempt from the requirements of Chapter 662.
- A municipality may waive the four hour requirement, or part of it, by passing a resolution.

Does the new law apply to county planning boards in charter counties?

- Yes, it applies to such members if they are appointed by the county governing body.

Does the law apply to alternate board members?

- Yes, it applies to alternate board members as well as regular members.

What sort of training is required?

- The legislative body for each city, county, town or village approves a course or courses of training for its board members.
- The type of acceptable training is left to the discretion of individual municipalities, and could even vary for individual board members. Training can provide either basic skills or can offer new and advanced planning and zoning approaches.
- Training opportunities could include courses offered by a municipality (for example, at regular board meetings covering the newest laws), a regional or county planning office, a state agency such as the Department of State, a state association like the Association of Towns, Conference of Mayors, or NY Planning Federation, or even a college or other similar entity.
- Training formats available are also flexible and can include traditional classroom training, video and distance learning, or even self study.

What happens if a municipal board member receives more than the required four hours of training in one year?

- Training received in excess of four hours in any one year, may be carried over into another year, at the discretion of the municipality.

What happens if a person serves on more than one planning or zoning board? Are they required to receive four hours of yearly training for each position?

- Not under the new law. However, municipalities have the discretion to require training in excess of the four hour yearly minimum.

What happens if a municipal board member doesn't meet the minimum training requirements established by a municipality?

- Board members failing to receive training required by their municipality are ineligible for reappointment to their board, unless exempted by their governing board.

Do municipalities need to notify anyone when they establish a training program for members of their planning and zoning boards as required in the new law?

- No, but municipalities should establish a system for keeping track of training received by board members.

What happens if a municipality doesn't enact a local law or resolution to establish a training program for members of its planning and zoning boards?

- It is incumbent upon municipal officials to act in accordance with this new state law.



Land Use Planning Workshop Notice

"How to Avoid an Article 78 Proceeding"

Wednesday November 18, 2009

6:30 – 8:30 p.m.

Jules Center Amphitheater (Room 6-002)

Jefferson Community College, 1240 Coffeen St., Watertown, NY

The Jefferson County Department of Planning, NYS Tug Hill Commission, and the Center for Community Studies at JCC are co-sponsoring a training session on **How to Avoid an Article 78 Proceeding** for local planning officials. This free workshop is designed to provide local planning officials with information on common procedure pitfalls that may lead to legal challenges, and ways in which their community can avoid them.

Agenda

6:30 - 6:35 p.m. Welcome and Opening Remarks.

6:35 - 8:00 p.m. Scott Chatfield, Attorney

Article 78 of NYS Civil Practice Law and Rules provides an opportunity for anyone (developers, citizens, community groups, even other federal, state, or local agencies) to challenge decisions made by approving agencies or government or municipal officers. These challenges are made against the reviewing board or agency, which is typically the lead agency under the State Environmental Quality Review (SEQR) Act.

These challenges are commonly focused on either a zoning board's decision regarding area or use variances or a planning board's review of site and subdivision plans.

The focus of this presentation will be on common procedure pitfalls that may lead to legal challenges, and ways in which your community can avoid them.

Scott Chatfield is an attorney in private practice focusing on municipal law. A member of the New York Planning Federation Board of Directors, he represents the Central New York Region. He is also a resource person for the New York State Commission on Rural Resources, an author and frequent lecturer on legal issues.

8:00 - 8:30 p.m. Ample time will be reserved for questions and answers.

RSVP's are strongly encouraged by November 13th. Please call the Jefferson County Department of Planning at (315) 785-3144 or send an e-mail to lorit@co.jefferson.ny.us.

Note to Planning Board and ZBA Chairpersons and Clerks - Please share this notice with other Board members and officials in your community!!!

If approved by your municipality, this workshop can provide 2 hours of training to meet the NYS Municipal Training requirement.

Directions and map are provided on reverse side.

OFFICE OF CITY MANAGER
OCT 22 2009
WATERTOWN, NEW YORK

November 9, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Commissioner of Deeds

The following resolution was prepared at the request of City Clerk Donna M. Dutton. If adopted, the resolution would provide for the appointment of the individual listed on the resolution as Commissioner of Deeds for the term ending December 31, 2010.

RESOLUTION

Page 1 of 1

Commissioner of Deeds

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby appointed Commissioner of Deeds for the term expiring December 31, 2010:

CITY EMPLOYEE

Benjamin J. Clark

Seconded by

November 11, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Reappointment to the Board of Assessment Review

At the request of the City Council, the following member of the Board of Assessment Review was contacted and has agreed to serve another five-year term, such term expiring on December 31, 2014:

David R. Steyer
1105 Salina Street
Watertown, New York, 13601

RESOLUTION

Page 1 of 1

Reappointment to Board of Assessment Review, David R. Steyer

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Assessment Review for a term expiring on December 31, 2014:

David R. Steyer
1105 Salina Street
Watertown, New York, 13601

Seconded by

November 11, 2009

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Reappointment of City Constable and Appointment
of Deputy City Constable

At the request of the City Council, the City Constable David W. Koster was contacted and has agreed to serve another one-year term, such term expiring on December 31, 2010. A resolution reappointing Mr. Koster has been prepared for City Council consideration.

During my discussion with Mr. Koster, he asked if the City Council would consider appointing Patricia J. Hennegan as the Deputy Constable. This request was presented to the Council and discussed by the City Council at the November 2, 2009. At the Council's request, a resolution appointing Mrs. Hennegan to the position of Deputy Constable has been prepared.

RESOLUTION

Page 1 of 1

Reappointment of City Constable,
David W. Koster

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby reappointed as City Constable for the City of Watertown, for a term expiring on December 31, 2010:

David W. Koster
Box 916
331 McClelland Street
Watertown, New York 13601

Seconded by

RESOLUTION

Page 1 of 1

Appointment of Deputy City Constable,
Patricia J. Hennegan

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby appointed as Deputy City Constable for the City of Watertown, for a term expiring on December 31, 2010:

Patricia J. Hennegan
16820 Dry Hill Road
Watertown, New York 13601

Seconded by

November 11, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Appointment and Reappointments to the Board of Ethics

At the request of the City Council, the following members of the Board of Ethics were contacted and have agreed to serve another one-year term, such term expiring on December 31, 2010:

Mary M. Corriveau
1350 Loomus Drive
Watertown, New York

Rande S. Richardson
269 Flower Avenue West
Watertown, New York

James D. St. Croix
1216 Superior Street, Apt. B16
Watertown, New York

Arthur C. Stever III
304 Paddock Street
Watertown, New York

Additionally, at the request of the City Council a resolution appointing Mr. Frank A. Seminerio, 1216 State Street, Apt. G, Watertown, NY to the Board of Ethics for a one-year term, such term expiring on December 31, 2010 has been drafted.

RESOLUTION

Page 1 of 1

Reappointment to Board of Ethics,
Mary M. Corriveau

Introduced by

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a term expiring on December 31, 2010:

Mary M. Corriveau
1350 Loomus Drive
Watertown, New York 13601

Seconded by

RESOLUTION

Page 1 of 1

Reappointment to Board of Ethics,
Rande S. Richardson

Introduced by

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a term expiring on December 31, 2010:

Rande S. Richardson
269 Flower Avenue West
Watertown, New York 13601

Seconded by

RESOLUTION

Page 1 of 1

Reappointment to Board of Ethics,
James D. St. Croix

Introduced by

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a term expiring on December 31, 2010:

James D. St. Croix
1216 Superior Street, Apt. B16
Watertown, New York 13601

RESOLUTION

Page 1 of 1

Reappointment to Board of Ethics,
Arthur C. Stever III

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby reappointed to the City of Watertown's Board of Ethics for a term expiring on December 31, 2010:

Arthur C. Stever III
304 Paddock Street
Watertown, New York 13601

Seconded by

RESOLUTION

Page 1 of 1

Appointment of Board of Ethics,
Frank A. Seminerio

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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Introduced by

RESOLVED that the following individual is hereby appointed to the Board of Ethics, for a one-year term expiring on December 31, 2010:

Frank A. Seminerio
1216 State Street Apt. G
Watertown, New York 13601

Seconded by

November 11, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Reappointment to the Community Action Planning Council

At the request of the City Council, the following member of the Community Action Planning Council was contacted and has agreed to serve another two-year term, such term expiring on December 31, 2011:

Peter L. Clough
23896 Woodland Drive
Watertown, New York 13601

RESOLUTION

Page 1 of 1

Reappointment to Community Action
Planning Council, Peter L. Clough

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

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Introduced by

RESOLVED that the following individual is hereby reappointed to the Jefferson County Community Action Planning Council for a term expiring on December 31, 2011:

Peter L. Clough
 23896 Woodland Drive
 Watertown, New York 13601

Seconded by

November 10, 2009

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Accepting Bids for Air Fill System,
SAFAIR Breathing Air Services

The City Purchasing Department has advertised and received sealed bids for the purchase and installation of a new and unused Air Refill System, per our bid specifications. This system will be used by the City of Watertown Fire Department to fill their Self-Contained Breathing Apparatus.

Invitations to bid were issued to five (5) prospective bidders with two (2) bids received and publicly opened and read in the City Purchasing Department on Tuesday, October 20, 2009, at 11:00 a.m. Details of the bids received are attached for your reference.

City Purchasing Agent Robert J. Cleaver reviewed the bids received with Fire Chief, Milton Sayre, and it is their recommendation that the City accept the bid submitted by SAFAIR Breathing Air Services, 12 Classic Street, Sherburne, New York 13460, in the amount of \$42,118.00 as the lowest qualifying bid meeting the City's specifications. The funding for this purchase is provided through a 2008 FEMA Firefighters Assistant Grant.

A resolution approving the bid submitted by SAFAIR Breathing Air Services has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Accepting Bids for Air Fill System,
SAFAIR Breathing Air Services

Council Member BURNS, Roxanne M.

Council Member BURTO, Jason R.

Council Member BUTLER, Joseph M. Jr.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

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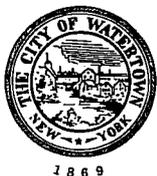
WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase and installation of a new and unused air refill system for use by the City of Watertown Fire Department, and

WHEREAS invitations to bid were issued to five (5) prospective bidders with two (2) bids received and publicly opened and read in the City Purchasing Department on Tuesday, October 20, 2009, at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver and Fire Chief Milton Sayre reviewed the bids received, and it is their recommendation that the City Council accept the bid submitted by SAFAIR Breathing Air Services, 12 Classic Street, Sherburne, New York, in the amount of \$42,118.00 for the air refill system, as the lowest qualifying bid meeting the City's specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid for the purchase a new and unused air refill system in amount of \$42,118.00 submitted by SAFAIR Breathing Air Services as the lowest qualifying bidder meeting the City's specifications.

Seconded by



CITY OF WATERTOWN, NEW YORK

ROOM 205, MUNICIPAL BUILDING
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601
Tel. (315) 785-7749 • Fax (315) 782-9014

ROBERT J. CLEAVER
PURCHASING AGENT

November 09, 2009

To: Mary Corriveau
From: Robert J. Cleaver
Subject: Air Fill System Bid



On behalf of the City's Fire Department, the Purchasing Department advertised in the Watertown Daily Times on Saturday, October 2, 2009 calling for sealed bids for the purchase and installation of a new and unused Air Refill System, per our specifications, for their use to fill their Self Contained Breathing Apparatus. The system that is being replaced was purchased in 1987 in the amount of \$14,295.00

Invitations to bid were issued to 5 prospective bidders with 2 bids submitted to the Purchasing Department where they were publicly opened and read on Tuesday, October 20, 2009 at 11:00 am local time. Results of those two bids are as follows:

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| SAFAIR Breathing Air Services P.O. Box 545 12 Classic Street Sherburne, New York 13460 | Eagle Talon II System delivery 30 days | \$42,118.00 |
| Tyler Fire Equipment LLC 703 Erie Street PO Box 4037 Elmira, N.Y. 14904-0037 | Bauer H25VTC-E3 /Securus delivery not specified | \$43,630.00 |

I have reviewed the two submittals with Fire Chief, Milt Sayre, and it is my recommendation that we accept the lowest qualifying bid, meeting our specifications, in the amount of \$42,118.00 submitted by SAFAIR Breathing Air Services, 12 Classic Street, Sherburne, New York 13460.

If you have any questions regarding this recommendation please feel contact me at you convenience.

cc: Milt Sayre, Fire Chief
Jim Mills, Comptroller
file
attach: memo, fire department

November 4, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: City Council Meeting Production Agreement, Steve Weed Productions

Attached for City Council consideration is a resolution approving a Production Agreement between the City of Watertown and Steve Weed Productions. Steve Weed Productions has provided This Agreement provides the City with videotape recorded City Council meetings and work sessions. The recordings are produced by Steve Weed Productions and provided to Time Warner Cable to run on their Public, Educational and Governmental (P.E.G.) access channel for public viewing. The productions are also available on the company's website.

The term of the Agreement is for six months commencing January 1, 2010 and terminating on June 30, 2010. For recording services provided under the terms of this contract, Steve Weed Productions will be paid a fee of \$150.00 per session.

Page 1 of 1

Approving Production Agreement
Between the City of Watertown and
Steve Weed Productions

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

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Introduced by

WHEREAS the City of Watertown meets every month for City Council Meetings and Work Sessions, and

WHEREAS the meetings are open to the public and the City Council wishes to have them recorded and available for public access television and internet, and

WHEREAS Steve Weed Productions has recorded City Council meetings in the past and is willing to continue providing their services to the City, and

WHEREAS the City of Watertown wishes to continue to have Steve Weed Productions provide services under the terms of the attached Agreement,

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

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

Seconded by

**PRODUCTION AGREEMENT
BY AND BETWEEN
THE CITY OF WATERTOWN, NEW YORK
AND
STEVE WEED PRODUCTIONS**

This contract is entered into this ___ day of _____, 2010 between the City of Watertown, a municipal corporation of the State of New York, hereafter called "City" and Steve Weed d/b/a Steve Weed Productions, a sole proprietorship, hereafter called "Contractor" of the State of New York.

All notifications necessary under this contract shall be addressed to:

City of Watertown
Mary M. Corriveau, City Manager
245 Washington St., Suite 302
Watertown, NY 13601
315-785-7730

Steve Weed Productions
7 Paddock Arcade
Watertown, NY 13601
315-782-8383

1 TERM

1.1 This contract shall be effective from January 1, 2010 through June 30, 2010

2. SCOPE OF SERVICES

2.1 Contractor shall videotape all City Council meetings at 7:00 p.m. on the first and third Mondays of each month (unless the Monday is a holiday in which case the meetings are held the following Tuesday). Videotaping shall also include City Council Work Sessions which fall on the second or fourth Monday of the month except during the months of July and August. All meetings shall be recorded in the Super VHS format.

2.2 City Council meetings are held in the City Council Chamber located at the City of Watertown City Hall. A larger meeting room is scheduled when greater than normal public interest in a subject or issue is anticipated. Contractor shall provide appropriate camera equipment necessary to videotape meetings held in alternative locations. Contractor will be notified in advance if a change of venue is anticipated.

2.3 Contractor shall provide all necessary supplies and resources to complete the productions including but not limited to cameras, videotapes, DVD's, appropriate electronic equipment, staff, etc. City will provide all Super VHS videotapes required for recording of City Council meetings.

- 2.4 Contractor shall not edit audio or video recordings of City Council meetings.
- 2.5 All meeting recordings shall become the property of the City of Watertown. Contractor shall be allowed to post recorded City Council meetings on personal website located at URL www.steveweedproductions.com. No advertisements of any kind shall be sold, included or displayed relating to recorded City Council meetings on Contractor's website.
- 2.6 In the event the Contractor's video recording equipment fails and the Contractor is unaware of an equipment problem prior to a session, or if such an issue arises during a session, the Contractor will not be expected to provide backup equipment and will not be held accountable for failing to record that session. Additionally, the City will not be charged for the recording of that meeting.
- 2.7 Contractor shall deliver the master recording on Super VHS and one copy on DVD to the City of Watertown City Manager's Office at 245 Washington St., Suite 302 no later than the close of business the day after the City Council meeting.
- 2.8 Contractor shall assist the City in reviewing ways to improve cable casting of City Council meetings, including advising the City relative to procedures, equipment, programming of equipment, or training relative to these services. Contractor will assist the City in training City staff to operate and maintain the City's videotaping system or portions thereof.
- 2.9 All recordings of City Council meetings must adhere to the broadcasting rules and regulations of Time Warner Cable and their Public, Educational and Governmental (P.E.G.) access channel.

3 COMPENSATION

- 3.1 In consideration of Contractor's performance of all of its obligations here under, City agrees to pay Contractor \$150.00 per recorded City Council session. For sessions which will require minimal recording time, limited camera views and generally be used for documentation purposes only, Contractor will be allowed to use one camera for appropriated session. Contractor will be notified of short meetings in advance and will be paid \$100.00 per recorded session. A session is defined as the Council convening at 7:00 p.m., or a special convening of the City Council at another time (i.e. 5:30 p.m.), and ending when the meeting has been officially adjourned by the City Council.
- 3.2 City agrees to pay Contractor on a monthly basis upon receiving an invoice for services satisfactorily performed.

4 **LIABILITY**

- 4.1 Contractor shall indemnify, protect, defend, and hold City, its officers, agents, volunteers, and employees harmless against any actions, claim for injury or damage and all loss, liability, cost or expense, including court costs and attorneys fees, growing out of or resulting directly or indirectly from the performance of this contract, except for that resulting from the sole negligence of the City.
- 4.2 The Contractor agrees to furnish the City with a Certificate of Insurance naming the City as an additional insured covering public liability in the amounts of \$500,000 per person and \$1,000,000 per occurrence and property damage in the amount of \$100,000.
- 4.3 The Contractor shall procure and obtain Workers' Compensation Insurance in accordance with the laws of the State of New York. Said insurance shall cover all persons defined or determined to be employees of Contractor by the laws of the State of New York.

5 **GENERAL PROVISIONS**

- 5.1 **ASSIGNABILITY:** This contract calls for personal performance by Contractor, and Contractor may not assign its obligations here under.
- 5.2 **TERMINATION:** City may terminate this contract in the event Contractor fails to comply with any of the terms or conditions set forth herein or if City determines Contractor is in any way unfit, unqualified, or unable to perform all of the services outlined in this contract. City will provide 30 days prior written notice by certified mail, return receipt requested of its intent to terminate or have it hand delivered.
- 5.3 **WAIVER:** Waiver of any breach of any provision of this contract by either party shall not operate as a waiver of any subsequent breach of the same or any other provision of this contract.
- 5.4 **ATTORNEY'S FEES:** In the event either party shall initiate any suit, action or appeal on any matter related to this contract, then the court before whom such suit, action or appeal is taken shall award to the prevailing party such attorney's fees as the Court shall deem reasonable, considering the complexity, effort and result against the party who shall not prevail, and such award and all allowable costs of the event may be either added to or deducted from the balance due under this contract, or be a separate obligation as appropriate.

5.5 EXTENT OF CONTRACT: This contract supersedes any prior or contemporaneous oral or written agreements or understandings entered into by the parties.

IN WITNESS WHEREOF, the parties have herewith executed their signatures.

THE CITY OF WATERTOWN, NEW YORK

By: _____
Mary M. Corriveau, City Manager

STEVE WEED PRODUCTIONS

By: _____
Steve Weed, Owner

November 10, 2009

To: The Honorable Mayor and City Council

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

Subject: Approving the Sale of Real Property Known as 122 Ten Eyck Street, Parcel No. 10-15-101.001, to the Development Authority of the North Country

In the agenda for the City Council's October 19, 2009, meeting, there was a report from the City Manager that presented photographs of the style of the house proposed for 122 Ten Eyck Street. There appeared to be a general consensus of the City Council to move ahead with the project.

The development of this house will be a collaborative effort between Neighbors of Watertown, Inc., the Development Authority of the North Country, Watertown Local Development Corporation, and the City. Neighbors of Watertown will be the developer. The Development Authority will be the interim property owner and construction lender. The Local Development Corporation will also be a construction lender. The City will provide the land for a nominal price and construct the water and sewer laterals to the basement wall at no cost in order to reduce the development cost.

The attached resolution authorizes selling 122 Ten Eyck Street to the Development Authority of the North Country for \$1.00.

RESOLUTION

Page 1 of 1

Approving Sale of Real Property Known as
122 Ten Eyck Street, Parcel No. 10-15-101.001
to the Development Authority of the North
Country

Council Member BURNS, Roxanne M.
Council Member BURTO, Jason R.
Council Member BUTLER, Joseph M. Jr
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 122 Ten Eyck Street, approximately 52' x 145' 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. 10-15-101.001, 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 the City Council deems the property to be excess and not required for any City purpose, and

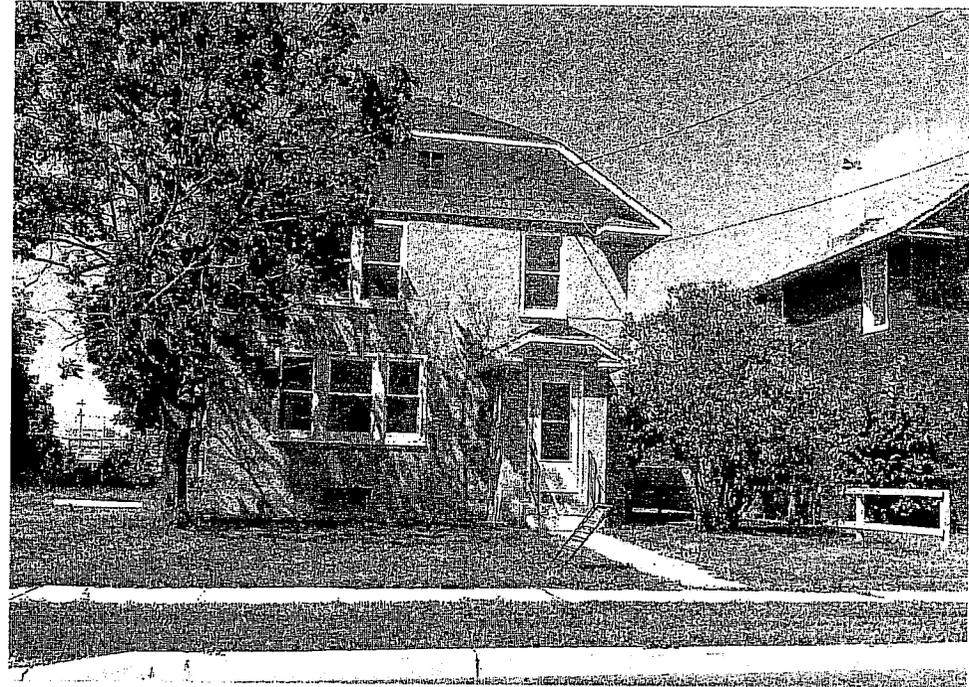
WHEREAS the Development Authority of the North Country, in cooperation with the Watertown Local Development Corporation, Neighbors of Watertown, Inc. and City of Watertown, plans to have a single family home constructed on the site,

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 \$1.00 submitted by the Development Authority of the North Country for the purchase of Parcel No. 10-15-101.001, is a fair and reasonable offer therefore and the same is hereby accepted, and

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 the Development Authority of the North Country upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

Seconded by





November 10, 2009

To: The Honorable Mayor and City Council

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

Subject: Request for a Special Use Permit to Allow an Auto Sales Lot and Auto Detailing Operation Located at 804 State Street, Parcel No. 12-06-322.

The Planning Board reviewed the above subject request submitted by Mark Bonner at its November 3, 2009 meeting and adopted a motion recommending that the City Council approve the Special Use Permit as submitted. Attached is a copy of the report prepared for the Planning Board and an excerpt from its Minutes.

A public hearing is required before the City Council may vote on this resolution. It is recommended that a public hearing be scheduled for 7:30 p.m. on Monday, December 7, 2009.

RESOLUTION

Page 1 of 1

Approving Special Use Permit Request
 Submitted by Mark Bonner to Allow an Auto
 Sales Lot and Auto Detailing Operation Located at
 804 State Street, Parcel No. 12-06-322

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

Total

| YEA | NAY |
|-----|-----|
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| | |

Introduced by

WHEREAS Mark Bonner has made an application for a Special Use Permit to allow an auto sales lot and auto detailing operation located at 804 State Street, Parcel No. 12-06-322, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on November 3, 2009, and adopted a motion recommending that the City Council approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on December 7, 2009, after due public notice, and

WHEREAS the City Council has reviewed the SEQRA short Environmental Assessment Form and responded to each of the questions contained in Part 2,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow an auto sales lot and auto detailing operation 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, New York, that a Special Use Permit is hereby granted to Mark Bonner to allow an auto sales lot and auto detailing operation located at 804 State Street, Parcel No. 12-06-322.

Seconded by



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

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

SUBJECT: Special Use Permit Approval – 804 State Street, Parcel Number 12-06-322.000 ^{HAM}

DATE: October 28, 2009

Request: Special Use Permit Approval to allow an Auto Sales Lot and Auto Detailing Operation.

Applicant: Mark Bonner

Proposed Use: Auto Sales Lot and Auto Detailing

Property Owner: Mark Bonner

Submitted:

8 1/2" x 11" Copy of Parcel Map: Yes

A Sketch of the Site to Scale: No

Completed Part I of an
Environmental Assessment Form: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

Comments: The applicant is proposing to lease the property at 804 State Street, parcel number 12-06-322.000 to be used as an auto sales lot. Auto detailing will be offered by this business, but no auto repairs of any kind will be done at this site. The property is zoned Neighborhood Business and according to our zoning ordinance this use requires a special use permit in a Neighborhood Business Zone. Special Use permits require City Council approval after recommendation from the Planning Board and a Public Hearing. The procedure is outlined in Section 310.67 of the Zoning Ordinance. The standards are in Section 310-52.3.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Engineer
Mark Bonner, 261 Franklin Street, Watertown, NY 13601



CITY OF WATERTOWN, NEW YORK
Special Use Permit Application

I. Applicant Information

Name: Mark Bonner

Mailing Address:
261 Franklin St 13601

II. Property Information

Address: 804 State St

Tax Parcel #: 12-06-322.000

Property Owner (if not applicant):

Mark Bonner

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

Zoning District: Neighborhood Business

Attachments Required:

8 1/2" x 11" parcel map with tax parcel involved in request outlined with a thick black line

A sketch of the site drawn to an engineering scale (e.g. 1"=20', 1"=30').

Completed Part I of an Environmental Assessment Form (SEQR)

III. Request Information

Proposed Use: Used Car Lot

Explain Proposal:

This parcel will be leased to Gerard Deroshia for the purpose of selling used cars. Auto detailing will be available at this site as well. Auto repair or oil changes will not be offered. Mr Deroshia currently has a license to sell used cars and currently does so at Northern Transmission, also on State St. This site will replace the Northern Transmission location as Mr Deroshia is ~~going~~ will no longer be doing business there.

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

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

Signature: Mark J Bonner

Date: 10-19-09

ASHLAND HILL BUILDERS

29301 Ashland Rd.
Chaumont, NY 13622
(315) 408-2661

| | | | |
|--|---------------|---------------------------------------|------|
| PROPOSAL SUBMITTED TO Gerard | | PHONE | DATE |
| STREET | | JOB NAME | |
| CITY, STATE AND ZIP CODE | | JOB LOCATION | |
| ARCHITECT | DATE OF PLANS | Corner of State St + S Rutland | |
| | | JOB PHONE | |

We hereby submit specifications and estimates for:

Install Corontrol Air 100,000 btu natural Gas furnace and Required duct work & gas piping. (3000)

Install 3 doors - 1 - Commercial Grade 36" entry door - 2 exterior grade 28" doors. (1900)

Strip exterior paint off building, prime & repaint (2900)

Repair wooden fence and repaint (300)

6" of 3/4 crusher run gravel to fence on Rutland st S Rd. (1000)

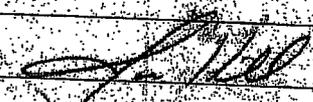
Equipment Pickup + delivery and use (700)

The Proposer hereby to furnish material and labor — complete in accordance with the above specifications, for the sum of:

Nine thousand eight hundred dollars (\$ **9800.00**)

to be made as follows:

10 down 10 when complete

Authorized Signature: 

Note: This proposal may be withdrawn by us if not accepted within **30** days.

Signature: _____

Signature: _____

804 State St Site Plan

Proposed Use: Used Car Lot and Detail Shop

Building Modifications: No

Building Expansion: No

Building will be renovated to it's original condition.

Cars will be placed on the perimeter of the property on the State Street and Rutland Street intersections. There are access/egress points for vehicles on both the State and Rutland portions of the property.

Repairs will take place but only to the extent that it is needed to sell a vehicle. There will be no repair of cars not sold at the location.

Detailing will be done in either of the bays located in the building.

The location is a corner lot on the Southwest corner of State Street and South Rutland. It is bordered by Ryan's Jet Gas to the west, Catholic Charities to the east, Gray's Insurance to the North. There is a six foot high privacy fence on the south border abutting parcel 1206320. The resident is a relative of the lessee, Gerard Derouchie.

Attachments.

1 Building repair estimate

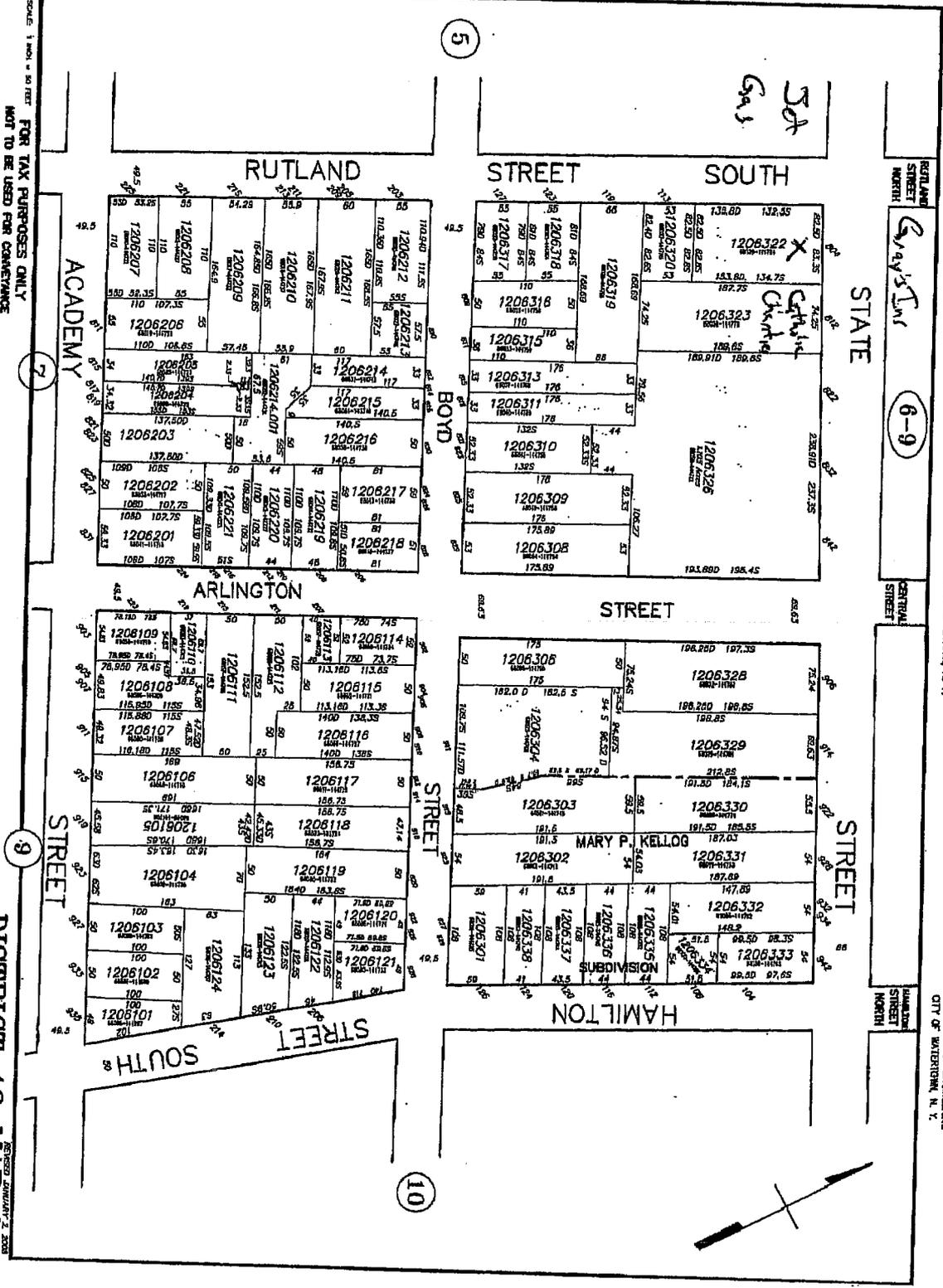
2 Tax map parcel 1206322

3 Picture of building

Drawing prepared by Douglas & Associates, Inc. (215) 267-7779 - Fax (215) 267-3418 - EMail: info@daa.com

SCALE: 1" = 50' FEET

FOR TAX PURPOSES ONLY
NOT TO BE USED FOR CONVEYANCE



DEPARTMENT OF ASSESSMENT AND EVALUATION
CITY OF PHILADELPHIA, PA.

DEPARTMENT OF ENGINEERING
CITY OF PHILADELPHIA, PA.

DISTRICT 12 MAP 6

Photo for 12-06-322.000 in City of Watertown



Photo

PLANNING BOARD MINUTES: NOV 3, 2009:

**SPECIAL USE PERMIT REQUEST – 804 STATE STREET,
PARCEL NO. 12-06-322.000**

The Planning Board then considered a request submitted by Mark Bonner for a Special Use Permit to allow an auto sales lot and auto detailing operation at 804 State Street, Parcel No. 12-06-322.000. In attendance to represent the proposed request was the property owner, Mark Bonner, Gerard Deroshia, who will be operating the used car sales lot and Brian Sweet who will be operating the auto detailing portion of the business.

Mr. Bonner began by stating that he is applying for a Special Use Permit to operate a used car sales lot at 804 State Street. He said that they are planning no structural changes to the building at this time and that originally the building was designed as a car repair and servicing operation, and the proposed use is in keeping with that previous operation. He stated that they will be selling used cars and providing an auto detailing service at the site. He said that the new operation will not offer auto repair.

Mr. Valianos inquired about the proposed door replacement and wondered if they were overhead doors or the man doors. Mr. Bonner replied that they are replacing the man doors only and that no overhead doors would be modified.

Mr. Harris inquired if the property could be updated and used for something different. Mr. Bonner responded that it could be and that he realizes that there has been some controversy regarding this property, but noted that he was the one who did his homework, stepped up to the plate, and took a chance on purchasing the property to put it back into viable use and back on the tax rolls. He noted the property had sat vacant for 15 years and he now has an opportunity to make viable use of the property that was once forgotten by everyone. He said he thought that the City would want to have someone make an investment in it.

Mr. Harris wondered if there could be something more viable there than what is proposed. Mr. Bonner responded that he had a number of different ideas and leads for the site, but sometimes in business some things do not pan out. He again mentioned to the Planning Board that he was the one who did his homework and checked with the Department of Environmental Conservation to make sure the site was environmentally clean. He said that it was not until after he did all of the leg work and background checking that other people became interested in the property. Mrs. Gervera asked if clearance from DEC had been provided and Mr. Bonner responded that the DEC has cleared the property.

Mrs. Freda asked if there were any improvements on the site that would trigger site plan review. Mr. Mix responded that as far as Staff could tell, there were no improvements that would trigger site plan approval. Mr. Bonner added that they are not planning to modify the structure at all.

Mr. Harris asked what happens to the soap and water runoff after the cars are washed and detailed. Mr. Bonner responded that they would be doing that work inside the building and that there are floor drains that would handle the runoff. He said that runoff would then go into the sanitary sewer. He also noted that there were oil drains to catch any oil and drips from the vehicles.

Mrs. Gervera asked what the hours of operation would be. Mr. Deroshia noted that they plan to operate 9:00-5:00 Monday through Friday, and 10:00-2:00 on Saturday. Mrs. Gervera then asked if they were planning to do any blacktop work at the site. Mr. Sweet noted that they will place crushed stone as needed to start and they hope to someday blacktop the property once their business was up and running. Mr. Lumbis noted that an expansion to the blacktop area would then kick in site plan review. Mrs. Gervera noted that paving would dress up the corner and improve the look of it over the crushed stone.

Mrs. Freda asked the applicant to clarify or define auto detailing. Mr. Sweet replied that it is basically washing and cleaning vehicles. He said that he cleans vehicles for various car dealers throughout the area and that Fort Drum customers are also a large part of his business.

Mrs. Gervera asked about the number of cars that would be on the site available for sale. Mr. Deroshia responded that his current operation has 15 to 20 cars for sale at any given time. Mrs. Gervera asked if there would be room on the site for that many vehicles.

Mr. Deroshia said there was enough room as they were planning to use the property behind the building as well. He also noted that they plan on fixing the fence along the house that is located to the rear as it is in a state of disrepair.

Hearing no further discussion, Mr. Valianos then moved to recommend that the City Council approve the Special Use Permit request submitted by Mark Bonner to allow an auto sales lot and auto detailing operation located at 804 State Street, Parcel No. 12-06-322.000. The motion was seconded by Mr. Fipps.

Prior to voting on the motion, a discussion ensued regarding the possibility of requiring the applicant to pave the parking areas. Mrs. Gervera said she felt paving would improve the look of the property tremendously. Mr. Valianos said that his concern would be that the asphalt plants were not going to be open much longer and it may be difficult to require the applicant to pave at this point in time. Mr. Mix stated that if the Planning Board wanted to make that a condition, they could require the applicant to pave this fall if it is possible or by no later than next spring.

Mr. Deroshia stated that he is already putting \$15,000 to \$20,000 into the building for various cosmetic improvements and that if the Planning Board were to require him to pave the parking area, it would be very difficult financially to do. He said that would cost at least another \$15,000 to pave the parking area. He asked that the Planning Board let him paint and make other cosmetic improvements to the building and then improve the site with paving over time. He asked that he be allowed to take small steps first, get the business up and running, and then improve it with paving. He said he was concerned that if the Planning Board were to require him to pave the parking area, he would be out of business before he even started.

Mrs. Gervera stated that in light of the financial concerns, she is agreeable to allowing the application to proceed "as is." Mrs. Freda concurred by noting that she would not want to add additional costs during the first year the business owner is in business, but would eventually like to see the site improved. Mr. Valianos also agreed and said the Board should recommend approval for the project and take the owner at his word that he would further improve the property when the business is successful enough to allow it.

Hearing no further discussion on the issue, Mrs. Freda called for a vote on the motion that was on the table. The motion was approved with Mrs. Freda, Mrs. Gervera, Mr. Fipps and Mr. Valianos voting Yea; Mr. Harris abstained.

Mr. Sweet then asked if it would be possible to allow the detailing use to commence at the site before the Special Use Permit is granted. He said the lease at his current location is expired, and although he is staying there on a week to week basis, he would like to move to the new location as soon as possible. Mr. Mix responded that the approval authority for the Special Use Permit request is with the City Council and there is no way that Staff or the Planning Board can authorize the operation without their formal approval.

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

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

| | |
|--|--|
| 1. APPLICANT/SPONSOR <u>Mark J Bonner</u> | 2. PROJECT NAME <u>804 State St</u> |
|--|--|

3. PROJECT LOCATION:
Municipality City of Watertown County Jefferson

4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map)
804 State St
Watertown, NY 13601

5. IS PROPOSED ACTION:
 New Expansion Modification/alteration

6. DESCRIBE PROJECT BRIEFLY:
This location will be used to sell used cars. Auto detailing will be provided. Auto repair and oil changes will not be offered.

7. AMOUNT OF LAND AFFECTED:
Initially .5 acres Ultimately _____ acres

8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS?
 Yes No If no, describe briefly

9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT?
 Residential Industrial Commercial Agriculture Park/Forest/Open Space Other
Describe: Set Gas, Catholic Charities, Drenny time

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

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

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

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

Applicant/sponsor name: Mark J Bonner Date: 10-19-09
Signature: Mark J Bonner

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

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

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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

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

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

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

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

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

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

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

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

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?
 Yes No If Yes, explain briefly:

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

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

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

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

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

November 11, 2009

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Amending City Code Chapter A 320, Article V,
§320-6, Schedule of Fees

The attached Ordinance has been prepared at the request of City Clerk Donna M. Dutton. This ordinance would amend the schedule of fees contained in the City Code to more clearly define the local charge for purebred dog licenses.

As Mrs. Dutton's memorandum points out, it has been the City's intent since the original adoption of the \$5.00 local fee, that it apply to all dogs, including purebreds. However, because the Code does not clearly specify that fact, the New York State Department of Agriculture and Markets does not interpret it that way. This amendment, will clarify the City's long standing intent.

ORDINANCE

Page 1 of 1

Amending City Code Chapter A 320,
Article V, § 320-6, Schedule of Fees

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

| YEA | NAY |
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Introduced by

BE IT ORDAINED that Chapter A 320, Article V, §320-6, Schedule of Fees of the City Code of the City of Watertown is amended to read as follows:

| | |
|---|--------|
| Dog License, all dogs including purebreds | |
| Local Charge | \$5.00 |

and,

BE IT FURTHER ORDAINED that this amendment shall take effect immediately.

Seconded by



Memo

To: Mary M. Corriveau, City Manager
From: Donna M. Dutton, City Clerk
Date: November 9, 2009
Re: Local Dog License Fees

I am requesting that an ordinance be drawn up to amend Section A320-6 Schedule of Fees for "Local Charge for Dog Licenses Fees - \$5.00" to read as follows:

"Local Charge for Dog Licenses Fees (Including Purebred licenses) - \$5.00"

While the original intention for the 1991 ordinance was to include purebreds as well as regular dog licenses, it was not specifically written that way and NYS Ag & Markets does not interrupt it as it was intended.

November 11, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: City Bus Fares, Fixed Rate, Unlimited Monthly Pass

In May and June 2009, the City Council reviewed fees charged for the use of the Citibus System and amended the fares, effective July 1, 2009, as follows:

| | |
|--|-----------|
| One-way regular bus fare: | \$ 1.50 |
| One-way regular bus fare transfer: | no charge |
| Regular econo booklet, 10 one-way fares: | \$10.00 |
| 20 one-way fares: | \$20.00 |
| One-way ADA Paratransit bus fare: | \$ 3.00 |
| Children's fare, ages 6-12 | \$ 0.50 |

Through the end of October, the City has collected \$53,530 in bus fares, compared to \$39,789 last year, a 34.53% increase. Projecting forward, the City will collect approximately \$160,600 of the \$165,000 budgeted for this year.

At the June 1, 2009 City Council meeting, a letter from the Transportation Commission suggesting a monthly unlimited ride pass be offered was read. A copy of their letter is attached for your review. In response to this Commission recommendation, City Comptroller James E. Mills, Superintendent of Public Works Eugene P. Hayes and Transit Supervisor Kathy S. Webster have met and discussed the impact of this option.

As you can see from the Transportation Commission's letter, they would like the City Council to consider both an unlimited ride pass, and a senior discounted unlimited ride pass. After reviewing what is offered by other regional and urban transit systems and the impact on ridership of the unlimited passes, both City Staff and the Transportation Commission support the City offering a \$40 unlimited monthly pass.

At this point in time, Staff is recommending that City Council hold off on offering the senior discounted monthly pass to give us an opportunity to monitor the usage of the pass and its impact on ridership and revenues over the next couple of months. This will give us time to evaluate the new pass and if appropriate, propose changes for the Fiscal Year 2010 – 2011 budget.

Should the City Council concur with this recommendation, an Ordinance amending City Code Chapter 320 to include a \$40 unlimited monthly pass effective January 1, 2010 can be prepared for consideration at the next City Council meeting.

June 1, 2009

Honorable Mayor Jeffrey E. Graham
And City Council Members
245 Washington Street
Watertown, NY 13601

Dear Mayor and Council Members:

At the last quarterly meeting of the Watertown Transportation Commission, rates and passes were the main topic. The commission members agreed that we needed a rate increase, and that it should be raised to \$1.50. We also were unanimous in the idea of going back to unlimited monthly ride passes. Ride passes offer a benefit, both for the riders and the City of Watertown, that coupon books do not offer. Unlimited ride passes encourage riders to make more trips and more stops along a route, than do coupon books. Coupon books are like paying for each ride and each stop, thus the riders tend to use them sparingly.

The benefit to having riders make more trips and more stops, is that the STOA (operating assistance) is reimbursed to the city at 40 cents for every rider that boards the bus. Therefore, if unlimited ride passes encourage riders to ride more often, or make more stops, the city will be reimbursed for more rides.

The city presently gets reimbursed roughly \$60,000 per year from STOA for ridership, based on the 40 cents per rider. It would be reasonable to assume that people who buy unlimited ride passes would board a bus as much as double the number of times in a month that they presently do. If one third of the existing passengers were to purchase monthly passes, and that one third rode the bus twice as often, that would produce an additional \$20,000 per year in STOA assistance.

Also, if monthly unlimited ride passes were offered, then the cost for coupon books could be raised a bit higher. The theory there being that people that ride often, and need to keep costs down, would have an even cheaper option with the unlimited ride pass. And by raising the coupon books a bit more, the city would realize a bit more revenue from the sale of those books as well.

The cost of monthly unlimited passes could initially be set so that someone riding twice every weekday, would pay approximately the same as they presently do (eg. \$35). Different prices could be charged for senior citizens/disabled or students. A punch out area on the pass could be used to identify which price was charged. It was discussed that the price for passes should be initially set low enough to encourage riders to utilize them. After a year or two, if

usage is significant, the price could be adjusted upward. The unlimited pass could only be used by the person it was purchased for – any misuse would result in confiscation of the pass.

It doesn't seem like there is a down side to the unlimited ride passes, other than it would be an additional product for the city to produce. If use of passes became significant enough, it could also later be decided to eliminate coupon books.

Sincerely,

A handwritten signature in cursive script that reads "Jennie Adsit". The signature is written in black ink and is positioned above the printed name.

Jennie Adsit

Transportation Commission Chair

| | | |
|---|--------------------------------|----------------------------------|
|  | <h1>MEMORANDUM</h1> | E.P. Hayes Superintendent |
| | <h2>Dept. Public Works</h2> | Date: 10-27-09 Ref: PW 073-09 |
| To: | Mary Corriveau, City Manager | |
| Subject: | Transit Unlimited Monthly Pass | |

AT the Regular Meeting of Monday, May 18, 2009 the City Council endorsed the concept that a Fixed Rate, Monthly Pass be included into our Bus Fee Structure that would allow unlimited travel.

After reviewing a number of both regional and urban transit authorities both Staff and the City's Transportation Commission is now recommending that we proceed with this fixed rate Unlimited Monthly Pass and that the fee be established at \$40.00 per month.

The City's Transportation Commission is also requesting that consideration be given to offer a senior discounted Monthly Pass as referenced in their original letter to Council on June 1st. While about one half of the smaller regional New York transit authorities contacted do offer some type of senior discounts on their monthly pass, the overwhelming majority of the larger metropolitan authorities do not.

It is Staff's recommendation to proceed with the establishment of a single, \$40.00 fee for the Unlimited Monthly Pass and that we monitor usage over the next few months in order to evaluate and report on future needs or changes that can then be addressed in the 2010-2011 fiscal year.

As such the purpose of this memorandum is to request that an ordinance to amend the Chapter 320 of the City Code be prepared to add the Unlimited Monthly Pass to the Municipal Code at the fixed fee of \$40.00 per month.

Should you have any questions concerning this recommendation, please do not hesitate to contact me at your convenience.

Gene

cc: James Mills, City Comptroller
 Kathy Webster, Transit Supervisor
 DPW files: Citibus Fare Schedule---Monthly Pass

Transportation Meeting Wednesday October 21, 2009

Absent: Don Drew, Sandra Guyton, Sue Morrow, Mary Morgan, Mary Kinne

In Attendance: Jennie Adsit, Elsie Gressler, Roberta Haggerty, Owen Virkler,
Helen Wilson , (Mary Kinne gave endorsements over phone)

Staff In Attendance: Kathy Webster, Jeff Lieberman

Meeting called to order at 3:00 pm by Jennie Adsit.

Jennie Adsit , ask Kathy Webster to present the CitiBus report

Handicapped entrance, and training equipment was viewed by the commission.

Kathy presented a Statistics packet to all members and discussed the 2, 925 count decline in riders for CitiBus .Jeffrey Lieberman riders count down by 77 passengers Para transit Service Jeff said passengers are continuously shorting them cash in the fare boxes. A sign will be posted on the bus to give their fares to the driver, for them to put in the cash box.

All in attendance and Mary Kinne via phone endorsed a monthly pass not to exceed \$40.00 per month for unlimited rides. Mary said students would definitely use this monthly unlimited ride pass. It was also requested a lesser fee would be charged and make available a monthly unlimited ride pass to seniors for \$20.00-\$25.00.

It was suggested they could show their medicare card as proof to purchase these cards. Many seniors who used to get 20 rides for \$10 are now paying \$20 for 20 rides and are not using the buses as much. Each time we lose a rider , we lose .405 Cents per passenger for STOA funding reimbursements.

We discussed our passenger receipts were down by \$1,349.05 our Total receipts were up by \$8,078.95. This figure reflects the economy book sales added to the Passenger receipts.

People are purchasing the books of coupons to avoid paying the \$1.50 fare. Everyone who rides that buys books still pays the \$1.00 fee by making these purchases. The occasional rider will pay the \$1.50 fee. The cost to print the Green 10 rides for \$10 book is .55 cents, the Blue 20 rides for \$20 book cost .62 cents per book to print.

Seniors who are on fixed incomes are not riding as much as their money is now only getting them half the rides they used to get.

The Commission was pleased to know the spare bus was going to help Essex County during their state of emergency for transportation needed due to Crown Point bridge closing.

Jennie had spoken with Steve Binion, Director of Office for Aging and we are pleased to be receiving the \$10,00 grant monies to assist with our operation costs.

This meeting was adjourned by Jennie Adsit at 4:00pm

CITY COUNCIL MEETING CITY OF WATERTOWN

June 1, 2009

ABOVE PLACED ON FILE

From the Transportation Commission concerning offering citibus riders a monthly unlimited ride pass. The benefit to having this is that riders would make more trips and more stops and thus the operating assistance of 40 cents for every rider that boards the bus would be reimbursed to the City. At the present time, the City is reimbursed approximately \$60,000 per year. If one third of the existing passengers were to purchase monthly passes, and that one third rode twice as often, it would produce an additional \$20,000 per year in reimbursed assistance.

** ** *

COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Transportation Commission Letter

Mayor Graham referred to this and commented that he wished that they had availed themselves of the opportunities to come before Council during budget and fee discussions.

Mrs. Corriveau commented that Ms. Webster had brought up a flat rate pass in the past.

Mayor Graham commented that Council depends on committees to bring recommendations to them. He would encourage them to do so in the future.

Mrs. Corriveau will get back to the commission.

CITY COUNCIL MEETING CITY OF WATERTOWN

May 18, 2009

November 12, 2009

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Watertown Hockey Association, Bulk Ice Time

On September 21, 2009, the City Council received a draft Agreement between the City of Watertown and the Watertown Hockey Association for the purchase of bulk ice time, along with a draft Ordinance that would provide the City with the authority to enter into such an Agreement. I have been contacted by the Watertown Hockey Association regarding the status of this Agreement. Should the City Council wish to discuss this proposed Agreement I will see if Superintendent of Parks and Recreation Jayme St. Croix and Watertown Hockey Association General Manager Dr. Nina Harff can attend the next City Council work session meeting.