

**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 **Tuesday**, February 19, 2013, at 7:00 p.m. in the City Council Chambers, 245 Washington Street, Watertown, New York.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF MINUTES

COMMUNICATIONS

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Approving Agreement Between the City of Watertown and State of New York, Unified Court System

- Resolution No. 2- Approving the Site Plan for the Construction of a 12,500 Square Foot Multi-Use Addition to an Existing Church, Plus Parking Lot and Landscaping, at 491 Eastern Boulevard, Parcel 5-26-103.007

- Resolution No. 3 - Approving Third Amendment to 2012-13 Franchise Agreement, 1000 Islands Privateers Professional Hockey Team, LLC

- Resolution No. 4 - Authorizing Changes to Code Section 125 Cafeteria Plan and Code Section 105 Health Care Flexible Spending Account

- Resolution No. 5- Approving Memorandum of Understanding Between Regional Units of Local Government

ORDINANCES

LOCAL LAW

PUBLIC HEARING

OLD BUSINESS

STAFF REPORTS

1. Quarterly Financial Report
2. New York Air Brake PILOT Modification Request
3. Briefing on the 2013-14 Executive Budget
4. Roswell P. Flower Memorial Library Invitation

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
MARCH 4, 2013.**

Res No. 1

February 13, 2013

To: The Honorable Mayor and City Council

From: Sharon Addison, City Manager

Subject: Agreement Between the City of Watertown and the
NYS Unified Court System

Attached for City Council consideration is an amendment to the existing five-year Agreement between the City of Watertown and the NYS Unified Court System for facility maintenance. This amendment establishes a new one-year term that commenced on April 1, 2012 and terminates on March 31, 2013.

This Agreement provides the City of Watertown with reimbursement under the Court Cleaning and Minor Repairs Program for services and space provided to City Court. This covers the City Court facilities in City Hall.

The proposed budget for services rendered under the terms of the contract period 2012-2013 is \$64,303. A detailed copy of the budget request is attached for City Council review.

A resolution approving the Agreement has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Approving Agreement Between the City of Watertown and State of New York, Unified Court System

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, New York is responsible for providing and maintaining space for the operation of City Court, and

WHEREAS reimbursement for such services is available to the City from the Unified Court System of the State of New York,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Court Cleaning and Minor Repair Program Agreement between the City of Watertown and the State of New York Unified Court System for Fiscal Year 2012-2013, and

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

Seconded by



STATE OF NEW YORK
UNIFIED COURT SYSTEM
FIFTH JUDICIAL DISTRICT
ONONDAGA COUNTY COURTHOUSE
600 S. STATE STREET
SYRACUSE, NEW YORK 13202-3099
(315) 671-2111
FAX: (315) 671-1175

A. GAIL PRUDENTI
Chief Administrative Judge

MICHAEL V. COCCOMA
Deputy Chief Administrative Judge
Courts Outside New York City

JAMES C. TORMEY
Justice of Supreme Court
District Administrative Judge
Fifth Judicial District

MICHAEL A. KLEIN, ESQ.
District Executive

JAMES P. SHANAHAN
Principal Administrative
Assistant

February 11, 2013

Sharon Addison, City Manager
City of Watertown
245 Washington Street, Suite 202
Watertown, NY 13601

Re: Agreement between UCS and the City of Watertown
for Court Cleaning and Minor Repairs (Contract No. C300190)
Annual Renewal Letter and Budget (Appendix B) for SFY 2012-2013

Dear Ms. Addison,

Please be advised that pursuant to Section I of the existing contract between the Unified Court System and the City of Watertown, we are hereby establishing a renewal period in the five year term of this agreement. Said renewal period shall commence on April 1, 2012 and shall terminate on March 31, 2013. During this 2012-2013 renewal period, all terms and conditions of the above referenced Agreement shall continue to apply, except as specified below.

The proposed budget for services to be rendered pursuant to this contract in the 2012-2013 period shall be \$64,303. Pursuant to the provisions of Chapter 686 of the Laws of 1996, as amended to date, the maximum compensation for the 2012-2013 period shall be 100% of that amount. The attached revised Appendix B, detailing the proposed budget for the renewal period, shall be incorporated into the Agreement and shall replace all prior Appendix B's. The signatures below shall confirm acceptance of this renewal by the City of Watertown and by the UCS.

Contract Renewal Letter for the City of Watertown for SFY 2012-2013
(Contract No. C300190)

Accordingly, the original of this letter should be signed by an authorized representative of the City of Watertown, and the corresponding acknowledgment page should be notarized. Two sets of the signed original letter together with the related documents should be returned to this office.

Thank you.

Sincerely,



Michael A. Klein
District Executive

Accepted for: City of Watertown

Accepted for: Unified Court System

Name: _____

Title: _____

Maureen McAlary
Deputy Director, Division of Financial Management

Dated: _____

Dated: _____

Attachments

Contract Renewal Letter for the City of Watertown for SFY 2012-2013
(Contract No. C300190)

ACKNOWLEDGMENT

STATE OF NEW YORK
CITY OF WATERTOWN

On the ____ day of _____, 20____, personally came _____,
to me known, who, being by me duly sworn, did depose and say that he/she resides in _____,
that he/she is the _____ (Title) of _____ (Municipality),
the municipality described in and which executed the above instrument; and that he/she is authorized to
execute the above instrument on behalf of said municipality.

NOTARY PUBLIC

Unified Court System

xls-format

Court Cleaning and Minor Repairs Proposed Budget Form

(Appendix B to a contract between a local government entity and the NYS Unified Court System pursuant to Chapter 686, Laws of 1996)

State Fiscal Year: April 1, 2012 to March 31, 2013
 Name of County or City : City of Watertown

List of Court Buildings (Including County Clerk Space):

Name and Address of Each Building	Owned or Leased	Total Net Usable Square Feet	Court Spaces to be Cleaned and Repaired pursuant to this Budget	
			Court Related Net Usable Sq. Ft.	NN Percentage
Municipal Building, 245 Washington St.	Owned	30,072	7,531	25%
Combined		30,072	7,531	25%

Note: Divide Court Sq. Ft by Total Sq. Ft for percent

Anticipated Changes in Location or Space Utilization :

Name and Address of Affected Building(s)	Nature of Changes	Target Date

1 Cleaning Costs :
 1(a) Service Contracts

Budget Line #	Contractor	Type of Service	Building	Contract Amounts for Budget Period	Portion Attributable to Courts NN Percentage	Budget Request
1						
2						
3						
4						
5						
6						
1(a) Subtotal :						\$0

1(b) Local Payroll

	No. of Positions	Building	Annual Wages	Fringe Benefits	Total Personal Service Costs	Portion Attributable to Courts NN Percentage	Budget Request
7	1	Municipal Building	\$32,170	\$15,098	\$47,268	25%	\$11,817
8							
9							
10							
11							
12							
1(b) Subtotal :							\$11,817

1(c) Supplies and Equipment

	Type of Material	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request
13	Cleaning Supplies	Municipal Bldg.		\$9,500	25%	\$2,375
14						
15						
16						
17						
18						
19						
20						
21						
22						
1(c) Subtotal :						\$2,375

1(d) - Grand Total Cleaning Costs (1a+1b+1c) :

1(d)

\$14,192

2 Trash Removal and Disposal
2(a) Trash Removal

	Contractor or Agency	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request
23	Watertown Public Works	Municipal Bldg.		\$6,250	25%	\$1,563
24						
25						
26						
27						
2(a) Total :						\$1,563

2(b) Trash Disposal

	Contractor or Agency	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request
28	Watertown Public Works	Municipal Bldg.		\$9,300	25%	\$2,325
29						
30						
31						
32						
	2(b) Total :					\$2,325
	<u>2(c) - Grand Total Trash Removal & Disposal (2a+2b) :</u>					<u>\$3,888</u>

3 HVAC Cleaning Costs

3(a) Duct Work Cleaning and Filter Changing By Service Contract

	Contractor	Type of Service	Building	Contract Amounts for Budget Period	Portion Attributable to Courts NN Percentage	Budget Request
33						
34						
35						
36						
37						
38						
	3(a) Subtotal :					\$0

3(b) Duct Work Cleaning and Filter Changing by Local Payroll

	No. of Positions	Building	Annual Wages	Fringe Benefits	Total Personal Service Costs	Portion Attributable to Courts NN Percentage	Budget Request
39							
40							
41							
42							
43							
44							
						3(b) Subtotal :	\$0

3(c) Filter Changing - Filters Only

	Type of Material	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request	
45	Filters	Municipal Bldg.		\$525	25%	\$131	
46							
47							
48							
49							
50							
						3(c) Subtotal :	\$131

3(d) - Total - HVAC Ductwork Cleaning & Filter Changing Costs (3a+3b+3c): 3(d) \$131

4 Totals for all "Cleaning Costs" : Grand Total Boxes 1d + 2c + 3d : 4 \$18,211

- 5 Proposed "Tenant" Work use following codes :
- a - Flooring and Carpeting
 - b - Painting
 - c - Interior Ceilings
 - d - Bathrooms
 - e - Fixtures
 - f - Minor Renovation
 - g - Other (Identify)

Work to be Performed

	Code	Describe Work	Building	Wages	Fringes	Supplies	Total Costs	Portion Attributable to Courts NN Percentage	Budget Request
51									
52									
53									
54									
55									
56									
57									
58									
59									
60									
61									
								Total for 5 :	\$0

6 Total - Expenses which are 100% reimbursable (4+5) :
(see instructions)

6 \$18,211

7 Building Maintenance
7(a) Service Contracts

use following codes :
 a - Pest Control
 b - Elevators
 c - HVAC
 d - Telephone Wiring
 e - Security & Alarm Systems
 f - Other (Identify)

	Code	Contractor	Type Work Performed	Building	Contract Amounts for Budget Period	Portion Attributable to Courts NN Percentage	Budget Request
62	b	Vertical Techn.	Elevator Maintenance	Municipal	\$4,500	25%	\$1,125
63	c	Siemens	Boiler Maintenance	Municipal	\$7,550	25%	\$1,888
64	c	Hyde-Stone	Mech/HVAC Maint.	Municipal	\$20,000	25%	\$5,000
65	f	Avaya	Telephone Maint.	Municipal	\$9,500	25%	\$2,375
66	e	Stat Comm.	Alarm System	Municipal	\$450	25%	\$113
67	f	Kraft Power	Generator Maint.	Municipal	\$1,000	25%	\$250
68	c	Hyde-Stone	Air Condtg. Project	Municipal	\$370,543	25%	\$92,636
69							
70							
7(a) Subtotal :							\$103,386

7(b) Local Payroll

	No. of Positions	Building	Annual Wages	Fringes	Total Costs	Portion Attributable to Courts NN Percentage	Budget Request
71	1	Municipal	\$45,132	\$18,799	\$63,931	25%	\$15,983
72	1	Municipal	\$11,803	\$3,799	\$15,602	25%	\$3,901
73	1	Municipal	\$62,069	\$30,678	\$92,747	25%	\$23,187
74							
75							
76							
7(b) Subtotal :							\$43,070

7(c) Supplies and Equipment

	Type of Material	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request
77	Repair parts, small tools, misc	Municipal		\$1,650	25%	\$413
78						
79						
80						
81						
7(c) Subtotal :						\$413
<u>7(d) Total - Building Maintenance Costs (Total Boxes 7a, 7b, 7c):</u>						<u>\$146,868</u>

8 Landscaping and Grounds Maintenance

8(a) Service Contracts

	Contractor	Work Performed	Building	Contract Amounts for Budget Period	Portion Attributable to Courts NN Percentage	Budget Request
82	Watn Public Works	Snow & Debris Removal	Municipal	\$8,200	25%	\$2,050
83						
84						
85						
86						
87						
8(a) Subtotal :						\$2,050

8(b) Local Payroll

	No. of Positions	Building	Annual Wages	Fringes	Total Costs	Portion Attributable to Courts NN Percentage	Budget Request
88	1	Municipal Bldg	\$32,170	\$15,098	\$47,268	25%	\$11,817
89							
90							
91							
92							
93							
8(b) Subtotal :							\$11,817

8(c) Supplies and Equipment

	Type of Material	Building	Quantity / Unit	Costs	Portion Attributable to Courts NN Percentage	Budget Request	
94	Repair parts, flowers, hose,						
95	trimmer, gas	Municipal		\$1,000	25%	\$250	
96							
97							
98							
8(c) Subtotal :							\$250

8(d) Total - Landscaping and Grounds Maintenance Costs (Total Boxes 8a, 8b, 8c) : 8(d) **\$14,117**

9 Total - Buildings, Landscaping and Grounds Maintenance and Repairs Costs (7d+8d) : 9 **\$160,985**

10 Total Cost Reimbursable @25% = (Box 9 x 25%) 10 **\$40,246**

11 Total Proposed Direct Costs (Item 6 + Item 10) :	11	\$58,457
12 Overhead Costs (Item 11 x .10):	12	\$5,846
13 Total Proposed Contract Amount (Item 11+Item 12):	13	\$64,303

14 Local Government Certification :

I hereby certify that the cost estimates contained herein were developed using the best available information and that the proposed budget amounts are just, true and correct to the best of my knowledge.

Name:	Sharon Addison
Signature :	<i>Sharon Addison</i>
Date :	1/17/13
Title :	City Manager

County or City :	Watertown
Phone :	315-785-7730
Address :	245 Washington Street-Suite 202 Watertown, NY 13601

ENDNOTES:

Use budget line numbers to reference remarks or explanations.

Line No. Explanatory Text

68	Replacing the tower and chillers for the HVAC system, along with the pipes that tie into the boiler system (heating).

Res No. 2

February 12, 2013

To: The Honorable Mayor and City Council

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

Subject: Approving the Site Plan for the Construction of a 12,500 Square Foot Multi-Use Addition to an Existing Church, Plus Parking Lot and Landscaping, at 491 Eastern Boulevard, Parcel 5-26-103.007

A request has been submitted by Steven Olmstead, PE, on behalf of Parkside Bible Church, for the above subject site plan approval.

The County Planning Board reviewed the application at their October 30, 2012 meeting and determined that the project has no county-wide or inter-municipal issues and is of local concern only.

The City Planning Board reviewed the request on October 2, 2012, January 8, 2013, and February 5, 2013, and at the latest meeting voted to recommend that City Council approve the site plan subject to the eight conditions listed in the resolution.

Attached are copies of the reports on the request prepared for the Planning Board and excerpts from the minutes of the 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 January 29, 2013 with the conditions recommended by the Planning Board.

RESOLUTION

Page 1 of 3

Approving the Site Plan for the Construction of a 12,500 Square Foot Multi-Use Addition to an Existing Church, Plus Parking Lot and Landscaping, at 491 Eastern Boulevard, Parcel 5-26-103.007

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 Steven Olmstead, PE, on behalf of Parkside Bible Church, has made an application for site plan approval for a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007, and

WHEREAS the Planning Board of Jefferson County reviewed the request at their October 30, 2012 meeting and determined 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 meetings held on October 2, 2012, January 8, 2013, and February 5, 2013, and at the latest meeting voted to recommend that the City Council of the City of Watertown approve the site plan as submitted on January 29, 2013 with the following conditions:

- 1) The applicant shall provide copies of the SWPPP and related correspondence with NYSDEC.
- 2) The applicant shall survey and depict the correct configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
- 3) The applicant shall obtain a permit from DOT for the 50' radius driveway from Eastern Boulevard into the parking lot—or shift the driveway so that it does not encroach on the right-of-way.
- 4) The applicant shall provide two business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
- 5) The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy, with the possible exception of any tree plantings in the Eastern Boulevard right-of-way that DOT does not approve.

RESOLUTION

Page 2 of 3

Approving the Site Plan for the Construction of a 12,500 Square Foot Multi-Use Addition to an Existing Church, Plus Parking Lot and Landscaping, at 491 Eastern Boulevard, Parcel 5-26-103.007

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

- 6) The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
- 7) The survey and site plans shall be revised so that elevation and contour lines are legible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.
- 8) The applicant shall either use only the depicted "Alternate 20' Access Lane" or obtain an easement allowing access across the lands of Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer.

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

RESOLUTION

Page 3 of 3

Approving the Site Plan for the Construction of a 12,500 Square Foot Multi-Use Addition to an Existing Church, Plus Parking Lot and Landscaping, at 491 Eastern Boulevard, Parcel 5-26-103.007

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

YEA	NAY

Total

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 Steven Olmstead, PE, on behalf of Parkside Bible Church, for a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007, as submitted to the City Engineer on January 29, 2013, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

Seconded by

- Office/Kitchen/Dining Space: 5 spaces for each 1,000 square feet of floor area

Lighting: Wall packs will be installed on the north side of the addition, and two light poles will be installed in the new parking lot to the east. Photometry shows that no spillage across property lines will occur.

Drainage & Grading: The applicant proposes grading the northwest corner of the lot to provide a detention basin. Two swales will also be installed to channel runoff to the basin. The basin's 100 year overflow is directed to the drainage ditch along the Huntington Street margin. The spillway is west of the street's high point, so overflow would be directed to the west. The existing parking lot will continue to sheet flow into the Eastern Boulevard drainage ditch.

The applicant must state the acreage of the disturbed area. If this exceeds 1.0 acres, the applicant must provide copies of the SWPPP and related correspondence with NYSDEC.

Water: The applicant is installing new water service to the 16" main on Huntington Street. The applicant must depict the Huntington Street main to the limits of the property. The church's existing service must also be shown.

Sewer: The applicant will install a new sewer lateral across Huntington Street. The applicant must provide a pipe crossing detail in accordance with the Ten States Standards. The 6" sanitary pipe will have to be constructed of pressure pipe material able to handle 150 psi. The sanitary pipe must be centered over the water main so that the sewer pipe joints are equidistant and concrete encased.

It is unclear whether the existing septic system at the southeast corner of the lot will be abandoned, or continue to serve the existing portion of building. The applicant must clarify their intentions with regard to this septic system. If it is to be abandoned, the applicant must specify removal and/or infill with stone or sand.

The manhole details must be revised to show rubber booted connections only to the sewer pipe.

Landscaping: The installation of the addition and parking lot will require the removal of 20 to 25 trees, including a 40" oak and numerous other mature trees. Brush will be cleared from the northwest corner of the site to make space for the detention basin.

No landscaping plan was provided. The applicant must provide a landscaping plan, including a depiction of the quantity, species, and size of the proposed removals. New plantings should be included around the perimeter and in the islands of the parking lot (1 tree for each 15 spaces), and along property lines and street margins where applicable.

Miscellaneous: The access drive across the north side of the addition must be at least 20' wide, and should either be extended to Huntington Street, or supplemented with a fire apparatus turn-around. Further comment from Code Enforcement is forthcoming.

The applicant must add "one-way" and "do not enter" signs as appropriate to the proposed driveway along the addition.

The applicant must provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.

The survey must be revised so that elevation contour lines are more visible. The vertical datum must be changed to NGVD29 or NAVD88.

The applicant must show a proposed construction entrance on the plan, and provide a detail.

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

Summary:

1. The applicant shall submit preliminary floor plans, and a breakdown of uses and their square footage—including both the existing building and the proposed addition. The applicant must also provide seating counts for any dedicated assembly areas.
2. The applicant shall state the acreage of the disturbed area. If this exceeds 1.0 acres, the applicant must provide copies of the SWPPP and related correspondence with NYSDEC.
3. The applicant shall depict the Huntington Street water main to the limits of the property, and show the church's existing service.
4. The applicant shall clarify their intentions with regard to the septic system. If it is to be abandoned, the applicant must specify removal and/or infill with stone or sand.
5. The applicant shall revise the manhole details to show rubber booted connections only to sewer pipe.
6. The applicant shall provide a landscaping plan, including a depiction of the quantity, species, and size of the proposed tree removals.
7. The applicant shall provide new tree plantings around the perimeter and in the islands of the parking lot (minimum 1 tree for each 15 spaces), and along property lines and street margins where applicable, prior to issuance of a Certificate of Occupancy.
8. The access drive across the north side of the addition shall be at least 20' wide, and shall either be extended to Huntington Street, or supplemented with a fire apparatus turn-around at the northwest corner of the new parking area.
9. The applicant shall provide "one-way" and "do not enter" signs as appropriate to the proposed driveway along the addition.
10. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
11. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88.
12. The applicant shall depict a proposed construction entrance, and provide a detail.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Steven Olmstead, PO Box 870, Carthage 13619

Under this scenario, the applicant needs 104 spaces and has provided 121. If the Phase II is built as sketched, it would increase the requirement by only 12 spaces, and could still be served by the proposed parking lot.

The applicant needs to add one-way signage or painted arrows to the drive along the new addition.

Drainage & Grading: The drainage layout has been altered slightly to include piping from the roof leaders.

The disturbed area easily exceeds 1.0 acres, even without accounting for the utility lines. The applicant must provide copies of the SWPPP and related correspondence with NYSDEC.

Water: The existing water service will be abandoned, and a new 8" service will be installed. The Fire Department Connection will be located on the north side of the building, and hydrant will be installed along Huntington Street.

The configuration of the existing fire hydrant and valve along Huntington Street is incorrect and missing an existing valve. The missing valve must be surveyed and shown. Additional water lines and gate valve near Eastern Boulevard must also be depicted.

The applicant has indicated that the Fire Department Connection (FDC) will be located at the new water service entrance facing Huntington Street. It must be moved to be accessible from the fire lane side of the building. The proposed fire hydrant must also be relocated to be accessible from the fire lane. The NYS building code requires the hydrant to be within 400 feet of the building. It can be up to 600 feet away if the proposed building, including the existing portion, has a sprinkler system.

Sewer: The applicant has indicated the location of the septic system, which will be abandoned and filled.

The contractor must provide two business days notice prior to excavating the Huntington Street right-of-way for the sewer service.

The applicant must depict the size and inverts for the pipe connecting MH1A to MH1.

Landscaping: The construction of the addition, parking lot and related infrastructure, as proposed, will require the removal of more than 30 mature trees, including 21 that are greater than 20" in diameter. In addition to the tree removal, brush clearing will occur along Huntington Street to the north of the addition and along the far west edge of the property to accommodate the construction of the stormwater detention basin. The tree removal and brush clearing is a significant loss to this section of the City's urban forest. With the exception of a small grove of trees located to the southeast of the cell tower and a few trees to the west of the proposed parking lot, the site will be clear cut for the proposed project.

The applicant was asked to provide a landscaping plan that met the requirements of the Landscaping and Buffer Zone guidelines. The only change shown on the revised plans is the addition of 4 spruce trees and a list of shrubs for around the building foundation. The landscaping plan provided does not meet the guidelines and does not adequately mitigate the proposed tree loss.

Several changes could be made to the plans to prevent and mitigate the proposed tree loss. First, the plan shows a tree clearing limit of 50' on the north and east sides of the addition. If the tree clearing limit was reduced to 25', a total of 5 trees greater than 20" in diameter could be saved. Second, if the alignment of the proposed gas, electric and water services are shifted slightly to the south, another tree could be saved. Third, if the proposed parking area was built as an extension of the existing parking area (to the north) a total of 10 trees could be saved, including 7 that are greater than 20" in diameter. Finally, the plan calls for the removal of all brush and undergrowth along Huntington Street in between the gravel drive and the cell tower drive. Removing the brush and undergrowth will eliminate most of an existing natural screen between the proposed project and Huntington Street. Consideration should be given to retain this natural screening.

The applicant must provide a complete landscaping plan, including a depiction of the quantity, species, and size of the proposed removals and proposed trees and shrubs. The tree removals should be overlaid on the proposed site plan. The plan should include trees along the exterior (perimeter) of the existing and proposed lot parking lots and buildings, trees along the access drives, trees in the interior of the parking lot (islands) and trees along the Huntington Street right-of-way. All of these requirements are outlined in the Landscaping and Buffer Zone Guidelines.

Miscellaneous: The proposed construction entrance and fire access drive passes through land owned by Watertown Associates and onto land owned by Stebbins Engineering/Manufacturing Company. The applicant must obtain an easement to allow access across these lands, file said easement with the County Clerk, and provide a copy to the City Engineering Department.

The applicant must provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.

The survey must be revised so that elevation contour lines are more visible. The vertical datum must be changed to NGVD29 or NAVD88.

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

Summary:

1. The disturbed area appears to be well over 1.0 acres, so the applicant must provide copies of the SWPPP and related correspondence with NYSDEC.
2. The applicant shall depict one-way/do-not-enter signage, or painted directional arrows, along the new driveway passing the addition.
3. The applicant shall survey and depict the correct existing configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
4. The applicant shall relocate the Fire Department Connection and the Fire Hydrant so that they are accessible from the proposed fire lane on the southwestern side of the structure. The hydrant must be located within 400 feet of the building, unless the entire building is sprinklered, in which case it may be 600 feet away.
5. The applicant shall provide a Turn Movement Plan for Fire Truck Movements through the parking lot and drive areas. The minimum turn radius for the fire apparatus shall be 50 feet.
6. The applicant shall provide 2 business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
7. The applicant shall depict the size and inverts for the sewer pipe connecting MH1A to MH1.
8. The applicant should consider modifying the plans to prevent and mitigate the proposed tree loss including the reduction in the limits of the tree clearing area, the realignment of utilities, the relocation of the proposed parking area and retaining the natural screening along the Huntington Street right-of-way.
9. The applicant shall provide a complete landscaping plan that includes a depiction of the quantity, species, and size of the proposed tree removals overlaid on the site plan—and a planting plan that includes new trees along the exterior (perimeter) of the existing and proposed lot parking lots and buildings, trees along the access drives, trees in the interior of the parking lot (islands), and trees along the Huntington Street right-of-way.
10. The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy.

11. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
12. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.
13. The survey and site plans shall be revised so that the plan views match the noted scale.
14. The applicant shall obtain an easement allowing access across the lands of Watertown Associates (parcel 5-26-110) and Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer.

cc: City Council Members
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Justin Wood, Civil Engineer II
Mike Lundy, 35794 NYS Route 126, Carthage 13619
Steven Olmstead, PO Box 870, Carthage 13619

Under this scenario, the applicant needs 104 spaces and has provided 121. If the Phase II is built as sketched, it would increase the requirement by only 12 spaces, and could still be served by the proposed parking lot.

The applicant has shown painted arrows on the new driveway to direct traffic.

Drainage & Grading: The disturbed area easily exceeds 1.0 acres, even without accounting for the utility lines. The applicant must provide copies of the SWPPP and related correspondence with NYSDEC.

Water: The existing water service will be abandoned, and a new 8" service will be installed. The Fire Department Connection is still shown on the northeast side of the building. The proposed fire hydrant has been relocated to the western side of the building near the fire lane, as previously requested.

The configuration of the existing fire hydrant and valve along Huntington Street is incorrect and missing an existing valve. The missing valve must be surveyed and shown. Additional water lines and gate valve near Eastern Boulevard must also be depicted.

The applicant has indicated that the Fire Department Connection (FDC) will be located at the new water service entrance facing Huntington Street. It must be moved to be accessible from the fire lane (western) side of the building.

Sewer: The contractor must provide two business days notice prior to excavating the Huntington Street right-of-way for the sewer service.

Landscaping: Despite the recommendations in the previous report to decrease the tree clearing limit, the latest revised site plan has actually increased the limits of tree clearing on the north side of the addition from 50' to 140'. The applicant has indicated that the Church wants an open lawn, other than the large existing lawn areas, to use for events and recreation. With the expanded clearing area, 43 large, mature trees will be removed—and several additional trees are likely to die due to the proposed locations of the utility trenches and pavement. The applicant has proposed 15 new tree plantings along the fire access road and 4 new plantings within a parking lot island to the west of the building. Sufficient tree plantings at the parking lot perimeter are still not shown. The landscaping plan still does not depict and quantify the proposed removals, and contains limited information regarding the proposed plantings. A complete landscaping schedule should be provided.

As mentioned previously, the proposed tree removals are a significant loss to the urban forest in this section of the City. The large mature trees on this property provide a significant benefit to the property's visual character and the removal of so many of them would be a loss to the quality of the property and the quality of the arterial approach into the City. The trees also play a significant role in screening the cell tower that was recently constructed. The ability of these trees to dampen the tower's visual impact and make it almost imperceptible to the travelling public was a major part of Verizon Wireless' recent Special Use Permit application and played a key role in the subsequent review and approval of it by the Planning Board and City Council. Air quality and stormwater handling will also be affected.

As noted in the previous report, several changes could be made to the plans to prevent and mitigate the proposed tree loss. The tree clearing limit could be reduced and the alignment of the proposed utilities could be shifted to avoid the mature trees. Another possible solution would be to extend the existing parking lot to the north rather than construct it as shown. Finally, the plan calls for the removal of all brush and undergrowth along Huntington Street in between the building and the cell tower drive. Removing the brush and undergrowth will eliminate most of an existing natural screen between the proposed project and Huntington Street. Consideration should be given to retain this natural screening.

Miscellaneous: The proposed construction entrance and fire access drive passes through land owned by Watertown Associates and onto land owned by Stebbins Engineering/Manufacturing Company. The applicant must obtain an easement to allow access across these lands, file said easement with the County Clerk, and provide a copy

to the City Engineering Department. The depicted “Alternate 20’ Access Lane” is acceptable in the event that no easement can be obtained from Stebbins, but an easement from Watertown Associates would still be required.

The applicant must provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.

The survey must be revised so that elevation contour lines are more visible. The vertical datum must be changed to NGVD29 or NAVD88.

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

Summary:

1. The applicant shall provide copies of the SWPPP and related correspondence with NYSDEC.
2. The applicant shall survey and depict the correct existing configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
3. The applicant shall relocate the Fire Department Connection to be accessible from the proposed fire lane.
4. The applicant shall provide a Turn Movement Plan for Fire Truck Movements through the parking lot and drive areas. The minimum turn radius for the fire apparatus shall be 50 feet.
5. The applicant shall provide 2 business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
6. The applicant should modify the plans to prevent and mitigate the proposed mature tree loss including the reduction in the limits of the tree clearing area, the realignment of utilities, the relocation of the proposed parking area, the relocation of the proposed lawn recreation area, and retaining the natural screening along the Huntington Street right-of-way.
7. The applicant shall provide a complete landscaping plan and landscaping schedule, that includes a depiction of the quantity, species, and size of the proposed tree removals overlaid on the site plan—and a planting plan that includes new trees along the exterior (perimeter) of the existing and proposed lot parking lots and buildings, trees in the interior of the parking lot (islands), and trees along the Huntington Street right-of-way.
8. The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy.
9. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
10. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.
11. The applicant shall obtain an easement allowing access across the lands of Watertown Associates (parcel 5-26-110) and Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer. The depicted “Alternate 20’ Access Lane” is acceptable in the event that no easement can be obtained from Stebbins, but an easement from Watertown Associates would still be required.

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Justin Wood, Civil Engineer II

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Water: The proposed fire hydrant and FDC have been relocated to the western side of the building near the fire lane, as previously requested.

The configuration of the existing fire hydrant and valve along Huntington Street is incorrect and missing an existing valve. The missing valve must be surveyed and shown. Additional water lines and gate valve near Eastern Boulevard must also be depicted.

Sewer: The contractor must provide two business days notice prior to excavating the Huntington Street right-of-way for the sewer service.

Landscaping: In an effort to reach an agreement regarding the proposed landscaping, Planning and Engineering Staff, Planning Board Member William Davis, Mr. Lundy and Pastor Justin Morris from Parkside Bible Church met on site on January 16, 2013 to discuss the landscaping issues. As a result of the meeting, several changes have been made to the plans.

The tree clearing limit area has been scaled back from 140' beyond the new addition to 60' behind the new addition. This will provide adequate room for the construction of the addition, access drive and the relocation of the sheds. A lawn recreation area is now shown on the plans. This area calls for selective thinning of trees rather than a complete removal and will provide open space for the church's outdoor activities and children's recreational programs. With these changes, the large, mature tree removals have been scaled back and the remaining trees will continue to provide a significant benefit to the property's visual character and will continue to limit the cell tower's visual impact.

The number of proposed trees along the access drive has been reduced and the four spruce trees along the east side of the new parking lot have been removed. The plans now call for six Autumn Blaze maples along the access drive and five flowering crabapple trees along the west side of the proposed parking lot. Six new trees are also shown along the south side of the existing parking lot, paralleling Eastern Blvd. Two or possibly three of these trees are shown within the State Department of Transportation (DOT) right-of-way so a DOT highway work permit will be required. Staff has been in contact with the DOT regarding the planting of trees in the right-of-way and although they cannot officially approve the landscaping layout until the plans are submitted to them for review, our discussions with them indicate that the trees would be allowed, given the offset from the road and the existing topography.

Lighting: The applicant has proposed additional lighting for the parking lot, comprised of six light poles. Photometric data are not shown for these fixtures, but the only possible light spillage would be into the Eastern Boulevard right-of-way. The Planning Board may wish to require that photometric data be added prior to issuance of a building permit.

Miscellaneous: The proposed construction entrance and fire access drive passes through land owned by Watertown Associates and onto land owned by Stebbins Engineering/Manufacturing Company.

The applicant has a recorded easement (by deed: L. 900, P. 81) for ingress in egress over the Watertown Associates land—however no easement has been identified for the Stebbins land. The depicted "Alternate 20' Access Lane" must be used unless an easement from Stebbins is provided.

The applicant must provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.

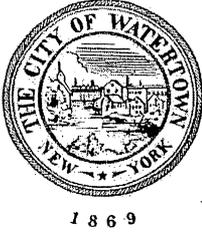
The survey's vertical datum must be changed to NGVD29 or NAVD88.

The applicant must obtain the following permits prior to construction: Sanitary Sewer Permit, Water Permit, Building Permit, General City Permit for work in the City right-of-way, and a DOT Highway Work Permit for work in the State right-of-way.

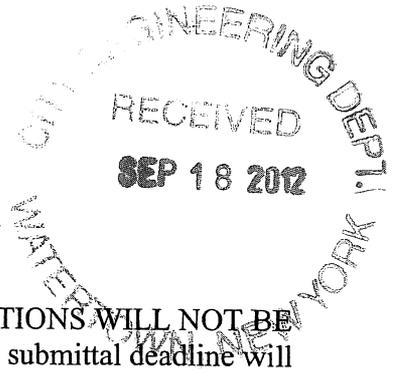
Summary:

1. The applicant shall provide copies of the SWPPP and related correspondence with NYSDEC.
2. The applicant shall survey and depict the correct existing configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
3. The applicant shall obtain a permit from DOT for the 50' turn radius driveway from Eastern Boulevard into the parking lot.
4. The applicant shall provide 2 business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
5. The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy, with the possible exception of any tree plantings in the Eastern Boulevard right-of-way that DOT chooses not to approve.
6. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
7. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.
8. The applicant shall either use only the depicted "Alternate 20' Access Lane" or obtain an easement allowing access across the lands of Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer.

cc: City Council Members
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Justin Wood, Civil Engineer II
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**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: New Addition to Parkside Bible Church
Tax Parcel Number: 5-26-103.007
Property Address: 491 Eastern Boulevard
Existing Zoning Classification: LI

OWNER OF PROPERTY

Name: Parkside Bible Church of C&ME
Address: 491 Eastern Boulevard
Watertown, NY 13601
Telephone Number: 315-782-6534
Fax Number: _____

APPLICANT

Name: Lundy Group of Companies
Address: 35794 NYS Rt. 126
Carthage, NY 13619
Telephone Number: 315-493-2493
Fax Number: 315-493-2004
Email Address: frontdesk@mlundygroup.com

ENGINEER/ARCHITECT/SURVEYOR

Name: Wilbur D. Thesier, PE PC (Steven J. Olmstead, PE)
Address: PO Box 870
Carthage, NY 13619
Telephone Number: 315-493-1966
Fax Number: 315-493-0541
Email Address: solmste@twcny.rr.com

PROJECT DESCRIPTION

Describe project and proposed use briefly:

Project will include construction of an approximately 12,500 sf addition to the existing building, new parking, site lighting, landscaping and utility connections.

Is proposed Action:

New Expansion Modification/Alteration

Amount of Land Affected:

Initially: 8.4 Acres Ultimately: 8.4 Acres

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

Yes No If no, describe briefly

What is present land use in vicinity of project?

Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe:

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

Yes No If yes, list agency(s) and permit/approval(s)
City of Watertown - Site Plan Approval

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

Yes No If yes, list agency(s) and permit/approval(s)
Existing has previous site plan approval.

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

Yes No

Proposed number of housing units (if applicable): NA

Proposed building area: 1st Floor 12,500 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: 400 Sq. Ft.

Number of parking spaces proposed: 14 new (112 existing)

Construction Schedule: April 2013 - August 2013

Hours of Operation: Mon - Fri 8 AM - 9 PM; Sat - Sun 8 AM - 4 PM

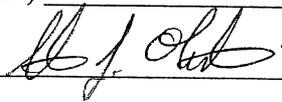
Mon-Sat 25 car trips/day;

Volume of traffic to be generated: Sunday 70 - 100 car trips/day. ADT

SIGNATURE

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

Applicant (please print) Michael Lundy

Applicant Signature  to: Michael Lundy Date: 9/17/12

**Excerpt from the Minutes
Planning Board October 2, 2012**

**SITE PLAN APPROVAL – PARKSIDE BIBLE CHURCH
491 EASTERN BLVD – PARCEL 5-26-103.007**

The Board considered a request for Site Plan Approval submitted by Steven Olmstead, PE on behalf of Parkside Bible Church for the construction of a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007.

Michael Lundy was in attendance to represent the applicant. He stated that he would be the builder for the project.

Mr. Lundy described the addition, stating that it would be constructed with a high ceiling and open plan, much like a gymnasium, but that its use would be similar to classrooms. He stated that the Church was not intensifying their use, just reorganizing the layout of existing programs and services. He mentioned that the floor plan was not final, and that he was meeting with the Church next week.

Mrs. Freda asked if he would like to resubmit afterwards.

Mr. Lundy stated that he would like to go through summary items and discuss them to see if the Board could take action today.

Mr. Davis asked if the disturbed area would be close to the one acre Storm Water Pollution Prevention Plan (SWPPP) limit, or substantially below. Mr. Lundy replied that they intend to stay under one acre.

Mr. Lundy continued to discuss the summary items. He noted that the existing septic system was to be abandoned. He then asked what the purpose of the suggested 20' drive along the back of the building was.

Mr. Wood stated that it was a requirement from Code Enforcement for fire access.

Mr. Lundy said that this would be a financial burden to the Church as the proposed driveway was intended only for kitchen access. He said a wider drive would have to be completely redesigned and built to support a fire truck, which would cost substantially more.

Mr. Wood suggested that Mr. Lundy meet with Codes about the requirement. He noted that the recent Renzi Foods addition was required to provide similar access, as an illustrative example.

Mr. Katzman stated that he would have a hard time approving the plan with the current information provided. He said that there are too many what ifs and unknowns at this point. He would like to see a complete drainage study to ensure that runoff would not interfere with the water treatment plant.

Mr. Davis noted that the disturbed area is probably very close to one acre anyway, which may require a SWPPP.

Mr. Wood stated that the City Engineer's requirements for drainage design are satisfied by the current plan, and that DEC is black and white with their Stormwater Pollution Prevention Plan requirement. Even if it is 0.99 acres, no SWPPP is needed.

Mr. Mix noted that the water treatment intake is quite far upstream from the project so there should be no negative effects on the plant from this project.

Mr. Wood then briefly outlined some additional comments that he received just prior to the meeting from Code Enforcement, which provide further detail regarding sufficient fire apparatus access.

Mr. Lundy noted that increasing the portico height would be difficult.

Mr. Davis stated that more information was needed to assess safety issues.

Mr. Katzman then moved to table to application so that the applicant can address the summary items from the Staff Report, and the additional comments provided by Code Enforcement.

Mr. Davis seconded, all voted in favor.

**Excerpt from the Minutes
Planning Board November 6, 2012**

**TABLED SITE PLAN APPROVAL – PARKSIDE BIBLE CHURCH
491 EASTERN BLVD – PARCEL 5-26-103.007**

The Board considered a request for Site Plan Approval submitted by Steven Olmstead, PE on behalf of Parkside Bible Church for the construction of a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007.

The applicant was not in attendance. The Board briefly discussed the applicant's email to the Planning Office from earlier in the afternoon. The email expressed that the applicant is opposed to moving the fire hydrant from Huntington Street to the other side of the building, and that they are also opposed to limiting or mitigating the substantial tree removals that would be required to construct the building.

Mr. Wood noted that the new plans addressed some of the previous comments, but many were still unresolved.

Mr. Fontana moved to table the application until the next regularly scheduled meeting. Mr. Coburn seconded, all voted in favor.

**Excerpt from the Minutes
Planning Board January 8, 2013**

**SITE PLAN APPROVAL – PARKSIDE BIBLE CHURCH
491 EASTERN BLVD – 5-26-103.007**

The Planning Board then considered a tabled request submitted by Steven Olmstead, PE on behalf of Parkside Bible Church for the construction of a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007.

Steven Olmstead approached the board and began addressing the staff report comments. He stated that the Stormwater Pollution Prevention Plan would be completed at a later date, but would include calculations for a potential future parking lot expansion.

Mr. Olmstead questioned whether the City has information regarding the existing water lines. Mr. Wood stated that they are only schematic, and the locations requested would have to be verified in the field as part of the survey.

Michael Lundy, the project developer, approached the board to discuss the Fire Department Connection (FDC). He stated that the expense could be substantial, because a 4" pipe would have to be run around or across the building.

Mr. Wood stated that this was a requirement of the Code Enforcement Bureau, and whether or not it is depicted here, the state building code supersedes the site plan.

Mr. Wood and Mr. Olmstead briefly discussed the required turn movement plan for the fire apparatus. The plan should show a template of the fire truck path overlain on the parking lot.

Mr. Lundy addressed summary items 6, 7, and 8 which deal with landscaping. He stated that the church does not agree with the request for additional trees. He does not believe that the 43 proposed removals constitute an urban forest. The church wants open space for recreation and wants their building to be visible from the street.

Mr. Coburn asked what drove the request for mitigation and plantings.

Mr. Lumbis briefly explained the history of the Landscaping and Buffer Zone Guidelines, which were adopted in 2007 by the Board in order to promote consistency in landscaping requests. Previously, the Board had been requesting additional landscaping on site plans in a piecemeal manner, not necessarily consistent between projects. The Guidelines are now the basis of staff review, and the comments in question stem from the Guidelines.

Mr. Lundy stated that he does not believe buffering is needed on a project of this type. It is not retail or industrial, and he does not think other churches in town have landscaping as extensive as what is being requested here.

Mr. Davis asked if the landscaping is a requirement.

Mr. Mix explained that it is not. The Guidelines were adopted by the Board at a time when projects were reviewed without standards, and they provide a basis for fair application of landscaping standards. However, they are not part of the zoning code.

Mr. Mix also discussed the Special Use Permit granted for a cell tower on the church's property. He noted that the numerous large trees were a major factor in its approval, on account of their ability to block the view of the tower.

Mr. Davis noted that the trees have other benefits beyond aesthetics, and that he believes the site should be landscaped for the benefit of the community.

Mr. Lundy stated that the church is not concerned with the economics of the trees, but rather the view from the road and availability of open recreation space.

Mr. Lumbis asked whether or not either of the two, existing, large open grass areas located to the south of the building could be utilized for the recreation area rather than removing so many mature trees to create a new one. Mr. Lundy explained the church wanted the area closer to the new building for convenience.

Mrs. Freda and Mrs. Gervera both expressed that they would like to see street trees and additional landscaping, but an inch-for-inch replacement of the removed trees was not necessary. Mrs. Freda suggested large-maturing deciduous trees every 40 feet along Eastern Boulevard. Mrs. Gervera noted that because of the sloping topography of the site, any trees planted along the street side of the parking lot would be much lower than the building itself, thereby limiting any concerns of the trees blocking the building, while still providing the ability to soften the street in this area.

Mrs. Freda also asked if the recreation area could be redesigned to save some trees, rather than straight out clear cutting. Mr. Davis agreed stating that perhaps a lawn area for recreation could be created in the middle of the treed area, rather than completing removing all of them.

Mr. Katzman asked if the applicant could get permission from the State to plant in the right-of-way. Mr. Lundy said that it would be difficult. Mr. Wood said that a highway work permit would be required, but it is possible.

Mr. Coburn suggested shifting the parking lot to the northwest by 10 feet, sacrificing only a couple parking spaces, to allow a line of trees along Eastern Blvd. on the applicant's property.

Mrs. Freda asked the applicant for a revised landscaping plan. She also suggested that the applicant set up an on-site meeting with the church leadership, Planning Office staff, and possibly some Planning Board members in order to work out a compromise regarding the proposed tree removals and the landscaping plan.

Mr. Lundy said he would like to know which of the other requirements could be conditions of approval. Mr. Wood replied that they all could be, except the landscaping plan.

There was some discussion regarding the easement required for the fire lane. The sliver of land between the church's property and Stebbins property is not shown as a common right-of-way in City records, but rather as a contiguous piece of the nearby housing development's main parcel. Access easements may already exist, but if so they must be researched and provided to the City.

Mr. Katzman made a motion to table the application, with the understanding that the applicant will revise the landscaping plan to conform to the Landscaping and Buffer Zone Guidelines to the greatest extent possible, and continue working to correct the issues noted in the 11 summary items in the staff report:

1. The applicant shall provide copies of the SWPPP and related correspondence with NYSDEC.
2. The applicant shall survey and depict the correct existing configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
3. The applicant shall relocate the Fire Department Connection to be accessible from the proposed fire lane.
4. The applicant shall provide a Turn Movement Plan for Fire Truck Movements through the parking lot and drive areas. The minimum turn radius for the fire apparatus shall be 50 feet.
5. The applicant shall provide 2 business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
6. The applicant should modify the plans to prevent and mitigate the proposed mature tree loss including the reduction in the limits of the tree clearing area, the realignment of utilities, the relocation of the proposed parking area, the relocation of the proposed lawn recreation area, and retaining the natural screening along the Huntington Street right-of-way.
7. The applicant shall provide a complete landscaping plan and landscaping schedule, that includes a depiction of the quantity, species, and size of the proposed tree removals overlaid on the site plan—and a planting plan that includes new trees along the exterior (perimeter) of the existing and proposed lot parking lots and buildings, trees in the interior of the parking lot (islands), and trees along the Huntington Street right-of-way.
8. The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy.
9. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
10. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.

11. The applicant shall obtain an easement allowing access across the lands of Watertown Associates (parcel 5-26-110) and Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer. The depicted "Alternate 20' Access Lane" is acceptable in the event that no easement can be obtained from Stebbins, but an easement from Watertown Associates would still be required.

Mrs. Gervera seconded the motion and all voted in favor.

**Excerpt from the Minutes
Planning Board February 5, 2013**

**SITE PLAN APPROVAL – PARKSIDE BIBLE CHURCH
491 EASTERN BLVD – 5-26-103.007**

The Planning Board then considered a tabled request submitted by Steven Olmstead, PE on behalf of Parkside Bible Church for the construction of a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007.

Steven Olmstead approached the board and stated that after the on-site meeting (on January 16, described in the staff report), plans have been submitted to the Department of Transportation showing the proposed tree plantings in the Eastern Boulevard right-of-way. The DOT had not yet responded, but it seems unlikely that the permit would be refused.

Mr. Davis noted that the right-of-way is very wide and the trees would essentially be in a wide open field.

Mrs. Freda asked what materials were submitted to DOT. Mr. Olmstead said that the landscaping plan sheet had been submitted along with some planting details.

Mr. Lumbis noted that he had spoken with DOT and the outlook for the permit was favorable. He mentioned that DOT was concerned about the widened driveway which was proposed to provide a 50' turn radius for fire trucks. The concern was that the driveway work would be within the right-of-way and could affect drainage or access to the roadway.

Mr. Olmstead showed the Board an updated drawing. He explained that the 50' turn radius would be relocated to the other drive aisle of the parking lot, thereby avoiding work in the right-of-way. He said the only approval from DOT would be for the landscaping.

Mr. Davis mentioned that the proposed recreation area behind the addition had been discussed at the on-site meeting. He noted that when thinning out the trees to make room for the play area, the applicant should be wary of increased erosion.

Mr. Katzman asked how erosion would be controlled. Mr. Olmstead noted that the pending Stormwater Pollution Prevention Plan would contain erosion controls as required by DEC. The SWPPP would address the addition, tree removals, and the future parking lot.

Mr. Katzman noted that the proposed retention basin could be a haven for weeds and mosquitoes, and an attractive nuisance for children. He suggested underground retention as an alternative.

Mr. Olmstead replied that this would be a relatively small and shallow basin, and that underground retention was cost prohibitive. It would probably not be more than three feet deep, and would be dry most of the time. Adding a fence is also a possibility.

Mr. Katzman noted that gates may not remain locked.

Mr. Wood stated that open detention ponds are very common, and it would be the church's liability not the City's to maintain it and limit access if necessary.

Mr. Davis noted that cost cutting could eliminate the fencing, or a substandard fence might be installed. There are lots of "ifs."

Mr. Olmstead stated that the pond design could not be addressed in full detail until the SWPPP is complete, and the church had not authorized him to begin the SWPPP yet. It was noted before that it would be required at the building permit phase, not now at the site plan approval stage.

Mr. Katzman said that with the weather changing and children around, and the threat of mosquito-borne diseases, he is concerned about the pond. He said he is looking out for the safety of the community.

Mr. Mix stated that open detention ponds are common in this area and are often required by DEC. Not allowing open detention could create a major conflict between the City requirements and the DEC requirements. Forcing underground detention would be a major impediment to development due to cost. He said this could drive the price of projects to a point where no one could do anything.

Mr. Olmstead noted that the depth and size of the pond is tied to the DEC requirements.

Mr. Davis suggested that the Board look at a draft SWPPP before approval.

Mrs. Freda questioned if DEC has mandates regarding fencing of ponds.

Mr. Mix replied that they are not necessarily required by DEC. In some cases the water feature can be seen as an amenity and it does not serve to barricade it.

Mrs. Freda asked how often children would be in the area. She said in theory that it would only be on Sundays.

Mr. Davis said that with the large church membership there would be many children around, possibly hundreds, at variable times.

Mrs. Gervera said that perhaps the Board could make a suggestion that a fence be installed around the pond, but not require it.

Mr. Katzman noted that swimming pools are required to have fencing.

Mr. Davis noted that the basin is far from the church and out of sight, which enhances the need for some life safety measures.

Mrs. Gervera stated that the church's insurer may require a fence regardless. She again advised that the Planning Board suggest the fence rather than mandate it.

Mr. Coburn explained that detention basins must be inspected annually per DEC mandate, and that there are maintenance standards that must be followed. He felt no need to require a fence here when another agency or the insurance company may mandate it anyway.

Mrs. Freda asked the Board if the other revisions were acceptable. The Board agreed that they are. She reminded the applicant that, per condition #5, the landscaping must be completed before a Certificate of Occupancy is issued.

Mr. Olmstead said that there is a note on the plans to that affect and that he would also make sure the church knows this.

Mrs. Gervera made a motion to recommend that City Council approve the site plan submitted by Steven Olmstead, PE on behalf of Parkside Bible Church for the construction of a 12,500 square foot multi-use addition to an existing church, plus parking lot and landscaping, at 491 Eastern Boulevard, parcel 5-26-103.007, as revised on January 29, 2013, with the following conditions:

1. The applicant shall provide copies of the SWPPP and related correspondence with NYSDEC.
2. The applicant shall survey and depict the correct existing configuration of the existing fire hydrant and valve on Huntington Street. Additional water lines and a gate valve near Eastern Boulevard shall also be surveyed and depicted.
3. The applicant shall obtain a permit from DOT for the 50' turn radius driveway from Eastern Boulevard into the parking lot—or shift the driveway so that it does not encroach on the right-of-way.
4. The applicant shall provide 2 business days notice to the Engineering Department prior to excavating the Huntington Street right-of-way for the proposed sanitary sewer.
5. The approved landscaping plan shall be implemented prior to issuance of a Certificate of Occupancy, with the possible exception of any tree plantings in the Eastern Boulevard right-of-way that DOT chooses not to approve.
6. The applicant shall provide a wet-stamped copy of the boundary and topographic survey. This map must be signed by a licensed surveyor.
7. The survey and site plans shall be revised so that elevation contour lines are more visible, and the vertical datum shall be changed to NGVD29 or NAVD88. All spot elevations and inverts shall be revised to match the appropriate datum.
8. The applicant shall either use only the depicted “Alternate 20' Access Lane” or obtain an easement allowing access across the lands of Stebbins Engineering/Manufacturing Company (parcel 5-26-103.004) for the proposed construction entrance and fire access road. The easement shall be filed with the County Clerk and a copy provided to the City Engineer.

Mr. Katzman seconded, all voted in favor.

Res No. 3

February 13, 2013

To: The Honorable Mayor and City Council
From: Sharon Addison, City Manager
Subject: Amendment to Privateers Franchise Agreement

Attached for Council's consideration is a Third Amendment to the 2012-13 Privateers Franchise Agreement.

As Council is aware, the City was recently informed that the existing agreement between the City and the Privateers to sub-franchise alcohol sales to a third party while the City operates and retains the revenue from the concession stand violates the terms of the Liquor Permit currently in place. As such, an amendment was passed at the Special Meeting of the City Council on January 28 that turned over the operation and revenue from the concession stand to the Privateers' alcohol vendor. Since that time, the State Liquor Authority has again changed their perspective. As was discussed at the Special Meeting of the City Council of February 11, the Privateers' alcohol vendor will now be allowed to secure permits. As such, the City is again able to operate and retain the revenue from the concession stand.

The amendment presented tonight will essentially revert the Franchise Agreement back to the language it contained prior to the Second Amendment passed by Council on January 28.

City staff will be available to answer any questions Council may have concerning this legislation.

RESOLUTION

Page 1 of 1

Approving Third Amendment
to 2012-13 Franchise Agreement,
1000 Islands Privateers Professional
Hockey Team, LLC

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

YEA	NAY

Introduced by

WHEREAS the City and the 1000 Islands Privateers Professional Hockey Team, LLC entered into a Franchise Agreement for the Privateers' use of the City Municipal Arena for the 2012-13 hockey season, by signature last June 18, 2012 and

WHEREAS said Franchise Agreement is effective as of October 1, 2013, and

WHEREAS the parties now desire to amend said Franchise Agreement to ensure compliance with the regulations and other requirements of the New York State Liquor Authority in connection with the 1000 Islands Privateers' selection of a sub-franchisee to obtain permits for the sale of beer and wine at the Privateers' home games,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Third Amendment to the Franchise Agreement between the City of Watertown and the 1000 Islands Privateers Professional Hockey Team, LLC, a copy of which is attached and made a part of this resolution, and

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

Seconded by

THIRD AMENDMENT TO FRANCHISE AGREEMENT

THE CITY OF WATERTOWN, NEW YORK AND 1000 ISLANDS PRIVATEERS PROFESSIONAL HOCKEY TEAM, LLC

This Third Amendment to Franchise Agreement is being made and is intended to be effective as of February 1, 2013 between THE CITY OF WATERTOWN, NEW YORK, with principal offices located at 245 Washington Street, Watertown, New York 13601 (“City”) and 1000 ISLANDS PRIVATEERS PROFESSIONAL HOCKEY TEAM, LLC (the “Privateers”), with principal offices located at P.O. Box 779, Alexandria Bay, New York 13607.

INTRODUCTION

WHEREAS, the City and the Privateers entered into a Franchise Agreement for the Privateers’ use of the City’s Ice Arena for the 2012-2013 hockey season, by signature last dated June 18, 2012, which Agreement is effective October 1, 2012; and

WHEREAS, the parties amended that Agreement by Amendment effective as of October 1, 2012, to reflect the parties’ intentions concerning the Privateers’ grant of a sub-franchise for the sale of Beer and Wine during the Privateers’ hockey games; and

WHEREAS, the parties amended that Agreement by Amendment effective as of February 1, 2013 to ensure the parties’ compliance with regulatory requirements of the New York State Liquor Authority (“SLA”) concerning control of the ice arena premises during licensure, including, but not limited to, the control of concessions; and

WHEREAS, the parties not wish to further amend said Agreement, effective as of February 20, to rescind the language contained in the previous amendment, due to another change in the regulatory requirements by the SLA;

The parties hereby agree to amend the Agreement as follows:

Section IV(b) entitled “Beer and Wine Sales” of the Agreement shall be replaced, in its entirety, with the following:

b. Beer and Wine Sales.

The Privateers desire to provide for the sale of beer and wine at the games to be held pursuant to this Agreement, and to enter into a sub-franchise agreement with a vendor, which shall obtain permits for beer and wine sales for the Ice Arena limited to the term of this Agreement.

The Privateers’ sub-franchise agreement with said vendor shall provide that the vendor shall be bound by the terms and conditions of any license issued by the SLA, and shall also be bound by the terms of the City’s “ABC Law, Rules and Guidelines,” as the same may, from time

to time, be amended. A copy of the City's current "ABC Law, Rules and Guidelines" is attached to this Agreement as Exhibit "D."

The Privateers shall ensure that said vendor shall provide the City with a copy of any application made to the SLA for said permits. The vendor must also agree that it will discontinue the sale of alcohol at any time when directed to do so by the shift supervisor of the Watertown City Police and provide proof of vendor's liquor liability insurance coverage in the amount of \$1,000,000.00 individual/\$2,000,000.00 aggregate.

The Privateers acknowledge that, as the party responsible for the sub-franchisee, it is obligated not to permit the alcoholic beverages in violation of the New York Alcoholic Beverage and Control Law, the New York Penal Law, and/or the New York General Obligations Law. If it is determined that the vendor has sold beverages in violation of any of the applicable rules and regulations, including any term of this franchise, the Privateers' right to contract with a sub-franchisee for the sale of alcohol on the premises will be immediately revoked.

The Privateers acknowledge that the City of Watertown is not involved in the sale of alcoholic beverages, and agrees to defend and indemnify the City, including reimbursement of the City's reasonable attorneys' fees, from any and all claims, civil or criminal, arising from any claimed violations of law pertaining to, or statutory duty arising from, the sale of alcoholic beverages.

The Privateers acknowledge that "tailgating" on City Fairgrounds property is not permitted and that the Privateers shall be responsible for monitoring the parking areas surrounding the Ice Arena to ensure compliance. No alcohol may be consumed on any City Fairgrounds property except within the Ice Arena.

Any changes to this agreement made necessary by the SLA or any other regulatory authority to ensure the issuance and continuation of vendor's license to offer beer and wine sales shall first be proposed, in writing, by the Privateers' legal counsel. If the City incurs any legal fees in connection with negotiating and implementing such changes, the Privateers agree to reimburse the City its reasonable legal fees and disbursements leading to the adoption of such changes.

Section IV(c) entitled "Food Concessions" of the Agreement shall be replaced, in its entirety, with the following:

The Privateers acknowledge that the City's concession stand(s) will be the only source of food sold during Privateers games

Section V, entitled "City Obligations" of the Agreement shall be amended by adding the following paragraph to the existing language:

f. The City agrees to provide food concessions for each home game, which concession will be staffed by City employees. The City will be responsible for setting the menu, pricing,

etc., and all revenue from concessions will belong to the City. The concession stand will be open at least (1) hour prior to each scheduled home game.

All other terms and conditions of the Agreement between the parties last dated June 18, 2012 remain in full force and effect.

Dated: _____

THE CITY OF WATERTOWN, NEW YORK

By: _____
Sharon Addison, City Manager

Dated: _____

1000 ISLANDS PRIVATEERS PROFESSIONAL
HOCKEY TEAM, LLC

By: _____
Nicole Kirnan, Managing Member

Res No. 4

February 14, 2013

To: The Honorable Mayor and City Council

From: Sharon Addison, City Manager

Subject: Authorizing Changes to Code Section 125 Cafeteria Plan and
Code Section 105 Health Care Flexible Spending Account

Due to changes in the Patient Protection and Affordable Care Act of 2010, the Internal Revenue Code Section 125(i) has set a limit on the amount that employees are able to put into their Flexible Spending Accounts. The attached resolution for Council consideration sets the required limit at \$2,500 and authorizes the City Manager to execute the amendment.

RESOLUTION

Page 1 of 1

Authorizing Changes to Code Section 125 Cafeteria Plan and Code Section 105 Health Care Flexible Spending Account

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 previously adopted a Code Section 125 Cafeteria Plan and a Code Section 105 Health Care Flexible Spending Account (HFSA), collectively referred to as the Cafeteria Plan, and

WHEREAS Article VIII of the Plan allows the City of Watertown to amend the Plan as required by law or as deemed advisable, and

WHEREAS effective the first Plan Year on or after January 1, 2013, the Patient Protection and Affordable Care Act of 2010 (the "Affordable Care Act") amended Internal Revenue Code Section 125(i) to limit salary reductions under the HFSA to \$2,500,

NOW THEREFORE BE IT RESOLVED that the City of Watertown approves the amendment attached hereto and is made of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to sign the Amendment to effectuate this change.

Seconded by

AMENDMENT TO THE
City Of Watertown, New York
CAFETERIA PLAN

This Amendment to the City Of Watertown, New York Cafeteria Plan (the "Plan") is adopted by City Of Watertown, New York (the "Employer"), effective as of the dates set forth herein.

NOW, THEREFORE, effective as of the first Plan Year on or after January 1, 2013, the Plan is amended as follows:

The following language is added under Article IIIA of Appendix A immediately before Section 3.01A:

Effective January 1, 2013, Salary Reductions made with respect to the Plan for a Plan Year for Health Care Reimbursement (under all Health Flexible Spending Accounts) shall not exceed \$2,500 per Participant (as adjusted for inflation pursuant to Code section 125(i)) or such lower amount as set forth in the Plan SPD or Plan enrollment materials. In the event of a short Plan Year for all Participants, the \$2500 amount (as indexed) shall be pro-rated.

City Of Watertown, New York

By: _____

Title: _____

**SUMMARY OF MATERIAL MODIFICATIONS TO THE
City Of Watertown, New York CAFETERIA PLAN (the “Plan”)**

This document summarizes important changes to your Cafeteria Plan. If you have any questions regarding the changes summarized in this Summary of Material Modifications (“SMM”), you should contact [insert appropriate contact]. You should keep a copy of this SMM with your Summary Plan Description for future reference.

Effective January 1, 2013, the maximum salary reduction contribution that can be made to the Health Care Expense Reimbursement Account for any Plan Year shall be \$2500 (as indexed for inflation for future years) or such lesser amount as is communicated in enrollment materials.

Res No. 5

February 13, 2013

To: The Honorable Mayor and City Council

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

Subject: Memorandum of Understanding; GIS Efficiency Project

On March 5, 2012 City Council adopted a resolution which allowed the City to participate in a DANC sponsored Local Government Efficiency Grant to improve Geographic Information Systems (GIS) technology within the participating organizations. As is indicated in the attached memo from Matthew Owen, GIS Coordinator, DANC was awarded the grant funding in October, 2012 and the process of developing the program has advanced.

Attached for Council's consideration this evening is a Memorandum of Understanding between multiple North Country organizations for the purpose of developing and advancing GIS efficiencies and cost savings between institutions. The participants include the Development Authority of the North Country, Jefferson County, St. Lawrence County, the Tug Hill Commission, and the City of Watertown.

If approved by Council, the attached Memorandum of Understanding will allow the City's GIS team to participate in a project that will study the opportunities to provide quality, effective and comprehensive GIS service in the region. If approved, the City's share of the local match would be \$1,200.

Staff will be available to answer any questions regarding this legislation.

RESOLUTION

Approving Memorandum of Understanding Between Regional Units of Local Government

Page 1 of 1

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

YEA	NAY

Total

Introduced by

WHEREAS the City of Watertown has elected to participate in a collaborative effort between the Development Authority of the North Country, Jefferson County, St. Lawrence County, Lewis County and the New York State Tug Hill Commission, and

WHEREAS said collaborative effort concerns the development and advancement of GIS (Geographic Information System) applications to analyze and evaluate opportunities to improve efficiency, reduce cost, and provide better GIS service, and

WHEREAS said Memorandum of Understanding includes the mutual agreement of the parties to work toward common goals,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Memorandum of Understanding between the City, DANC, Jefferson County, St. Lawrence County, and the Tug Hill Commission, attached hereto and made a part of this resolution, and,

BE IT FURTHER RESOLVED that Jeffrey E. Graham, Mayor, is authorized and directed to execute said Memorandum of Understanding on behalf of the City of Watertown.

Seconded by

Memorandum of Understanding

Parties:

Development Authority of the North Country (lead applicant)
Jefferson County
St. Lawrence County
Lewis County
The City of Watertown
New York State Tug Hill Commission

Purpose:

To obtain and share information between the Development Authority of the North Country, Jefferson County, St. Lawrence County, Lewis County, the City of Watertown, and the New York State Tug Hill Commission (hereinafter referred to as the “Parties”) concerning developing and advancing GIS applications and to analyze and evaluate opportunities to improve efficiencies, reduce costs, and provide better GIS (Geographic Information System) service.

Background:

The parties employ GIS to integrate, store, edit, analyze, share, and display geographic information for informed decision making. The Parties use the technology to assist governments, businesses, and residents with applications, including real property, public health, community mapping, natural resources, regional and community planning, infrastructure, transportation, and logistics. Their deployment of GIS is also diverging into location-based services, which allows GPS-enabled mobile devices to display their location in relation to fixed assets (nearest fire hydrant, underground infrastructure, highway points), mobile assets (fleet vehicles), or to relay their position back to a central server for display or other processing. These services continue to develop with the increased integration of GPS functionality in increasingly powerful mobile electronics (smart phones, laptops, tablets, etc.). GIS implementation requires high capital expenditure and personnel resources, and the six parties have been implementing and utilizing GIS at different levels according to their available resources and needs.

The parties have successfully applied for funding from the Department of State’s Local Government Efficiency Program (LGEP) to explore opportunities for the Parties to share services, improve efficiencies, reduce costs, and provide a better service to customers. Through the use of these grant funds for the completion of this study, the Parties will develop a plan to provide better services to internal and external GIS customers in a more efficient manner.

Mutual Agreement:

The parties seek to cooperate in a process to analyze and evaluate opportunities to maximize GIS applications and services, improve efficiencies, and reduce costs.

The parties agree:

- The primary goal of this project is to evaluate the opportunities to provide quality, effective, and comprehensive GIS services to internal and external customers at a reasonable cost. To identify areas where the Parties may work cooperatively to provide a more cost effective and comprehensive regional GIS resource.
- To work together to evaluate the study's assessment and reports, as this will be critical in the development of administrative procedures that detail the technical requirements to implement appropriate or relevant recommendations.
- That, in accordance with resolutions approved by the Parties and submitted with the grant application, the Development Authority of the North Country is acting as the lead applicant for the LGEP grant and will receive and administer all funds.
- To use the LGEP grant funds to complete this study, totaling \$63,000, with an additional \$7,000 local share required by the grant. The local share is being paid by the Development Authority of the North Country (\$5,800) and the City of Watertown (\$1,200).
- To form a steering committee to work with the selected consultant, and analyze and evaluate the recommendations from this study. Each party will appoint a maximum of two members.
- The steering committee will develop a Request for Proposals to seek consulting services for a planning study to explore opportunities for the parties already invested in GIS to share services, improve efficiencies, reduce costs, and provide a better service to customers.

Controversies and Claims:

Any controversy or claim arising out of or related to this MOU shall be resolved according to the following provisions:

Prior to commencing any suit or action, an aggrieved party shall submit to the other parties a written "Notice of Dispute" (NOD) advising the other parties of the issues in dispute.

Step 1 will be a bona fide attempt to mediate the dispute in good faith. The parties may choose to use a professional mediator, volunteer mediation service or the Development Authority of the North Country to assist in the mediation.

Thereafter, if unable to resolve the dispute by agreement, a Dispute Resolution Board (DRB) consisting of six members, one member from each party shall convene. The DRB shall review the NOD, investigate, and collect such information as necessary to decide the dispute. The decision of the DRB shall be conclusive and binding upon the parties.

The parties shall carry on the work and adhere to the project schedule during all disputes or disagreements. No work shall be delayed or postponed pending resolution of any disputes or disagreements.

Agreed to by:

Date: _____

James W. Wright
Executive Director, Development Authority of the North Country

Date: _____

Carolyn D. Fitzpatrick
Chairperson, Board of Legislators, Jefferson County

Date: _____

Jonathan S. Putney
Chairman, Board of Legislators, St. Lawrence County

Date: _____

Michael A. Tabolt
Chairman, Board of Legislators, Lewis County

Date: _____

Jeffrey E. Graham
Mayor, City of Watertown

Date: _____

John Bartow
Executive Director, New York State Tug Hill Commission

February 13, 2013

To: Sharon Addison, City Manager
From: Matthew Owen, GIS Coordinator
Subject: Local Government Efficiency Grant – Memorandum of Understanding

On March 5th, 2012 City Council passed a resolution indicating their desire to participate in a DANC sponsored Local Government Efficiency Grant related to the use of Geographic Information Systems. DANC was awarded this grant in October of 2012. As a result, DANC and the participating agencies have initiated the North Country Regional Shared Geographic Information Services Planning Study. The other partners involved are Jefferson, Lewis and St Lawrence Counties as well as the New York State Tug Hill Commission and the City of Watertown.

The Department of State mandates that all participating agencies execute a Memorandum of Understanding in order to proceed with grant funding. I have attached a copy of the MOU. Please prepare a resolution for City Council consideration.

February 14, 2013

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Quarterly Financial Report

Attached for City Council review is the Financial Report for the quarter ended December 2012.

CITY OF WATERTOWN
FY 2012/13 FINANCIAL REPORT (UNAUDITED)
THROUGH THE QUARTER ENDING DECEMBER 31, 2012

GENERAL FUND SUMMARY

General Fund Summary	2012-13 Revised Budget	YTD Actual	%	Prior YTD Actual	2011-12 Actual
Revenues	\$ 40,522,645	\$ 20,300,791	50.10%	\$ 20,046,097	\$ 36,713,100
Expenditures	\$ 42,672,145	\$ 19,410,604	45.49%	\$ 18,194,984	\$ 37,830,571
Net Change in Fund Balance	\$ (2,149,500)	\$ 890,188		\$ 1,851,113	\$ (1,117,472)

GENERAL FUND REVENUES

General fund revenues were up \$ 254,694 or 1.27% compared to last year due mostly to the increase in sales tax of \$ 193,949, mortgage tax of \$153,391 and sales of real property by \$116,252 while there was a significant decrease in the sale of excess hydro power by (\$ 315,652). The 10 largest general fund budgeted revenues account for over 93% of the total general fund revenues. A summary of general fund revenues is as follows:

GENERAL FUND REVENUES	2012-13 Revised Budget	Current Y-T-D	Y-T-D % of Budget (Dec = 50%)	Prior Y-T-D	2011-12 Actual
State Admin. Sales & Use Tax	\$ 17,860,000	\$ 9,081,164	50.85%	\$ 8,887,215	\$ 17,215,058
State Aid, Per Capita	\$ 7,803,208	\$ 714,869	9.16%	\$ 714,869	\$ 4,703,208
Real Property Taxes(net of reserve)	\$ 7,320,740	\$ 7,380,768	100.82%	\$ 7,309,154	\$ 7,307,193
Sale of Surplus Power	\$ 3,346,000	\$ 1,039,183	31.06%	\$ 1,354,835	\$ 2,766,103
Refuse and Garbage Charges	\$ 841,000	\$ 422,400	50.23%	\$ 358,589	\$ 740,596
Utilities Gross Income Tax	\$ 321,000	\$ 126,999	39.56%	\$ 149,388	\$ 351,716
State Aid, Mortgage Tax	\$ 300,000	\$ 285,300	95.10%	\$ 131,909	\$ 307,384
State Mass Transportation Assistance	\$ 225,000	\$ 129,552	57.58%	\$ 84,946	\$ 226,264
Interfund Transfers	\$ 186,475	\$ -	0.00%	\$ 18,043	\$ 335,566
Bus Fares	\$ 165,000	\$ 77,762	47.13%	\$ 79,121	\$ 160,702
Subtotal	\$ 38,368,423	\$ 19,257,996	50.19%	\$ 19,088,069	\$ 34,113,790
All Other General Fund Revenues	\$ 2,154,222	\$ 1,042,795	48.41%	\$ 958,028	\$ 2,599,310
Total	\$ 40,522,645	\$ 20,300,791	50.10%	\$ 20,046,097	\$ 36,713,100

Real Property Tax Collections: Gross property tax revenue for FY 12-13 is \$ 7,373,612 of which \$164,645 or 2.26% remained uncollected at the end of the quarter. Last year at this time \$176,928 or 2.42% of the gross property tax revenue of \$ 7,300,409 remained uncollected.

Interest and Penalties on Property Taxes: Revenue was down slightly compared to last year by \$ 1,719 or 5.71%.

Sales Tax Revenue: The City's sales tax collections were above last year's actual results by \$ 193,949 or 2.18%. However compared to the adopted budget, revenue was down \$ 135,996 or 1.47%.

Sale of Surplus Power: The City's sale of surplus power is down significantly compared to last year by \$315,652 or 23.30%. Compared to FY 2010/11 revenue is down \$264,349 or 20.28% not adjusted for the annual increases to the rate paid to the City per kilowatt.

Utilities Gross Income Tax Revenue: Under General Municipal Law, the City imposes a 1% tax on the gross income from every utility doing business in the City. Revenue was down compared to last year by \$ 22,389 or 14.99%.

Mortgage Tax Revenue: The City receives 1/2% tax for each mortgage recorded on property located within the City. Revenue for the year was up \$ 153,391 or 116.29% compared to last year.

NYS Unrestricted Aid and AIM funding: The City's revenue from the NYS Aid and Incentives to Municipalities program (AIM) was the same as last year at this time. In Fiscal Year 2012-13 the City will receive an additional \$3,100,000 due to a change in the State's payment cycle. The City budgeted to place the additional aid in a capital reserve to fund projects identified in the City's five year capital plan.

CITY OF WATERTOWN
FY 2012/13 FINANCIAL REPORT (UNAUDITED)
THROUGH THE QUARTER ENDING DECEMBER 31, 2012

GENERAL FUND EXPENDITURES

The following 10 departments / categories represent over 85% of the General Fund budgeted expenditures (excluding the Capital Reserve appropriation). General fund expenditures were up by \$1,215,619 or 6.68% compared to last year due primarily an increase of \$468,967 for the contribution to the NYS Retirement System.

GENERAL FUND EXPENDITURES	2012-13		Y-T-D % of Budget (Dec = 50%)	2011-12	
	Revised Budget	Current Y-T-D		Prior Y-T-D	Actual (Unaudited)
Fire	\$ 8,345,469	\$ 4,673,027	55.99%	\$ 4,434,171	\$ 8,300,475
Police	\$ 8,023,089	\$ 4,252,857	53.01%	\$ 3,859,428	\$ 7,279,966
Department of Public Works	\$ 5,510,902	\$ 2,337,727	42.42%	\$ 2,362,105	\$ 4,837,339
Health Insurance-Retirees	\$ 3,293,725	\$ 1,623,339	49.29%	\$ 1,526,692	\$ 3,055,625
Debt Service	\$ 2,762,930	\$ 1,300,540	47.07%	\$ 1,519,465	\$ 3,303,601
Transfer to Capital Projects	\$ 932,500	\$ 4,450	0.48%	\$ 5,700	\$ 1,681,031
Parks and Recreation	\$ 1,894,462	\$ 988,583	52.18%	\$ 718,908	\$ 1,324,024
Library Transfer	\$ 1,350,402	\$ 577,500	42.77%	\$ 522,800	\$ 1,499,677
Traffic Control & Lighting	\$ 847,515	\$ 369,010	43.54%	\$ 359,900	\$ 736,571
Bus	\$ 843,224	\$ 421,373	49.97%	\$ 403,146	\$ 811,544
SUBTOTAL	\$ 33,804,217	\$ 16,548,407	48.95%	\$ 15,712,315	\$ 32,829,853
All Other Departments/Transfers	\$ 8,867,928	\$ 2,862,197	32.28%	\$ 2,482,669	\$ 5,000,719
TOTAL	\$ 42,672,145	\$ 19,410,604	45.49%	\$ 18,194,984	\$ 37,830,571

GENERAL FUND - PERSONAL SERVICES

Personal service expenditures account for 39% of the general fund budgeted expenditures. The following table presents the 10 largest departmental budgeted personal services. These 10 departments represent 81% of the budgeted general fund personal service expenditures. Fire department overtime is down compared to last year by \$39,117 or 27.21%. Police department overtime is down \$2,923 or 2.25%.

Department	2012-13		Y-T-D % of Budget (Dec = 50%)	2011-12	
	Revised Budget	Current Y-T-D		Prior Y-T-D	Actual (Unaudited)
Fire	\$ 5,045,413	\$ 2,395,882	47.49%	\$ 2,401,643	\$ 5,033,052
Police	\$ 4,534,373	\$ 2,089,234	46.08%	\$ 2,095,378	\$ 4,329,952
DPW Snow Removal	\$ 530,338	\$ 80,532	15.19%	\$ 78,270	\$ 545,215
Engineering	\$ 453,453	\$ 206,527	45.55%	\$ 201,744	\$ 451,034
DPW Administration	\$ 241,985	\$ 111,862	46.23%	\$ 158,747	\$ 375,130
Municipal Executive	\$ 349,555	\$ 170,844	48.87%	\$ 166,143	\$ 298,440
DPW Refuse & Garbage	\$ 376,664	\$ 150,358	39.92%	\$ 157,083	\$ 317,158
DPW Central Garage	\$ 350,232	\$ 142,770	40.76%	\$ 148,131	\$ 331,056
Bus	\$ 327,183	\$ 151,218	46.22%	\$ 149,957	\$ 303,576
Comptroller	\$ 320,701	\$ 150,195	46.83%	\$ 149,661	\$ 313,424
SUBTOTAL	\$ 12,529,897	\$ 5,649,424	45.09%	\$ 5,706,757	\$ 12,298,037
All Other Departments	\$ 2,934,831	\$ 1,478,713	50.38%	\$ 1,406,695	\$ 2,437,665
TOTAL	\$ 15,464,728	\$ 7,128,137	46.09%	\$ 7,113,453	\$ 14,735,702

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WATER FUND

Revenues are up compared to last year by \$92,039 or 4.30% due mostly to an increase of \$74,028 in water revenues from outside City users. Expenditures were down \$385,098 or 15.84% compared to last year due primarily to two debt issues maturing last year resulting in \$385,098 less debt service costs and the dredging of the coagulation basin in the amount of \$87,768 in FY 2011-12. Retirement expense increased \$42,246 or 22.21%

	2012-13		Y-T-D % of Budget		2011-12
Water Fund Summary	Revised Budget	Y-T-D Actual	(Dec = 50%)	Prior Y-T-D	Actual (Unaudited)
Revenues	\$ 4,623,600	\$ 2,232,624	48.29%	\$ 2,140,595	\$ 4,707,612
Expenditures	\$ 4,681,436	\$ 2,015,779	43.06%	\$ 2,395,145	\$ 4,669,177
Net Change in Fund Balance	\$ (57,836)	\$ 216,845		\$ (254,550)	\$ 38,434

SEWER FUND

Revenues are down compared to last year by \$93,034 or 3.67% primarily due to revenues from tanker hauled sludge and leachate decreasing \$46,799. Revenues from other governments are down \$24,436 or 3.30%. Expenditures are up by \$365,496 or 17.31% compared to last year due to higher utility costs, the timing of equipment purchases and retirement.

	2012-13		Y-T-D % of Budget		2011-12
Sewer Fund Summary	Revised Budget	Y-T-D Actual	(Dec = 50%)	Prior Y-T-D	Actual (Unaudited)
Revenues	\$ 4,818,720	\$ 2,445,079	50.74%	\$ 2,538,113	\$ 5,485,793
Expenditures	\$ 5,680,182	\$ 2,476,574	43.60%	\$ 2,111,078	\$ 4,889,968
Net Change in Fund Balance	\$ (861,462)	\$ (31,495)		\$ 427,035	\$ 595,825

LIBRARY FUND

Excluding the transfer from the General Fund, revenues are down compared to last year by \$1,164 or 3.29%. Expenditures are up compared to last year by \$64,921 or 11.84% due to the increase in retirement costs (\$20,950), wages (\$17,706) and health insurance (\$11,663).

	2012-13		Y-T-D % of Budget		2011-12
Library Fund Summary	Revised Budget	Y-T-D Actual	(Dec = 50%)	Prior Y-T-D	Actual (Unaudited)
Revenues	\$ 1,419,886	\$ 611,752	43.08%	\$ 558,216	\$ 1,569,784
Expenditures	\$ 1,532,878	\$ 613,172	40.00%	\$ 548,251	\$ 1,548,833
Net Change in Fund Balance	\$ (112,992)	\$ (1,420)		\$ 9,965	\$ 20,952

The majority of the Library revenues shown in this fund are a result of the library transfer expense (\$577,500) shown up above in the General Fund Expenditures section. All available library revenues such as fines and grants are utilized prior to any transfer from the General Fund.

SELF-INSURANCE FUND

Revenues are up compared to last year by \$50,213 or 1.37%. The revenue increase of \$184,403 due to the premium increase of 5.80% has been offset by a decrease in stop loss insurance recoveries of \$78,107 and \$34,974 received last year from the Federal Early Retiree Reinsurance Program. Expenditures are down by \$233,476 or 6.13% compared to last year.

	2012-13		Y-T-D % of Budget		2011-12
Self-Insurance Fund Summary	Revised Budget	Y-T-D Actual	(Dec = 50%)	Prior Y-T-D	Actual (Unaudited)
Revenues	\$ 7,951,517	\$ 3,722,132	46.81%	\$ 3,671,919	\$ 7,716,169
Expenditures	\$ 8,261,517	\$ 3,572,347	43.24%	\$ 3,805,823	\$ 7,566,240
Net Change in Fund Balance	\$ (310,000)	\$ 149,785		\$ (133,903)	\$ 149,930

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	2012-13		Y-T-D % of Budget		2011-12		Current YTD vs. Prior YTD	
	Revised Budget	Current Y-T-D	(Dec = 50%)	Prior Y-T-D	Actual	Variance	%	
General Fund Revenues								
Real Property Taxes	\$ 7,373,240	\$ 7,373,612	100.01%	\$ 7,300,409	\$ 7,300,409	\$ 73,203	1.00%	
Special Assessments (sidewalks)	\$ 9,500	\$ 7,156	75.33%	\$ 8,745	\$ 10,111	\$ (1,589)	-18.17%	
Real Property Tax Reserve	\$ (62,000)	\$ -	0.00%	\$ -	\$ (3,327)	\$ -	0.00%	
Federal Payments in Lieu of Taxes	\$ 39,000	\$ -	0.00%	\$ -	\$ 43,613	\$ -	0.00%	
Other Payments in Lieu of Taxes	\$ 105,300	\$ 101,515	96.41%	\$ 97,565	\$ 113,500	\$ 3,950	4.05%	
Interest/Penalties on Property Taxes	\$ 125,000	\$ 29,564	23.65%	\$ 31,355	\$ 135,444	\$ (1,791)	-5.71%	
State Admin. Sales & Use Tax	\$ 17,860,000	\$ 9,081,164	50.85%	\$ 8,887,215	\$ 17,215,058	\$ 193,949	2.18%	
Utilities Gross Income Tax	\$ 321,000	\$ 126,999	39.56%	\$ 149,388	\$ 351,716	\$ (22,389)	-14.99%	
Franchises	\$ 427,500	\$ 106,393	24.89%	\$ 106,875	\$ 429,250	\$ (482)	-0.45%	
Tax Sale Advertising	\$ 13,500	\$ -	0.00%	\$ 60	\$ 14,130	\$ (60)	-100.00%	
Comptroller's Fees	\$ 6,000	\$ 4,566	76.11%	\$ 2,315	\$ 5,945	\$ 2,251	97.25%	
Assessor's Fees	\$ 500	\$ 80	15.90%	\$ 142	\$ 527	\$ (62)	-43.82%	
Clerk Fees	\$ 120,000	\$ 54,662	45.55%	\$ 59,340	\$ 121,129	\$ (4,678)	-7.88%	
Civil Service Fees	\$ 5,400	\$ -	0.00%	\$ -	\$ 900	\$ -	0.00%	
Police Fees	\$ 8,000	\$ 7,932	99.15%	\$ 1,083	\$ 2,852	\$ 6,850	632.76%	
Public Works Fees	\$ 85,000	\$ 43,222	50.85%	\$ 66,603	\$ 109,136	\$ (23,381)	-35.11%	
DPW Charges - Fuel	\$ 28,200	\$ 13,907	49.32%	\$ 12,975	\$ 27,269	\$ 932	7.19%	
Bus Fares	\$ 165,000	\$ 77,762	47.13%	\$ 79,121	\$ 160,702	\$ (1,360)	-1.72%	
Bus Advertising	\$ 10,000	\$ 5,660	56.60%	\$ 5,290	\$ 9,000	\$ 370	6.99%	
Parks & Recreation Charges	\$ 5,000	\$ 4,197	83.95%	\$ 5,219	\$ 10,465	\$ (1,022)	-19.58%	
Recreation Concessions	\$ 95,000	\$ 59,983	63.14%	\$ 23,859	\$ 47,145	\$ 36,123	151.40%	
Pool Fees	\$ -	\$ -	0.00%	\$ (112)	\$ (112)	\$ 112	-100.00%	
Arena Fees	\$ 125,000	\$ 66,539	53.23%	\$ 82,980	\$ 142,166	\$ (16,441)	-19.81%	
Skating Rink Charges	\$ 55,000	\$ 50,971	92.67%	\$ 24,268	\$ 53,980	\$ 26,702	110.03%	
Zoning Fees	\$ 3,000	\$ 2,000	66.67%	\$ 2,300	\$ 4,200	\$ (300)	-13.04%	
Refuse and Garbage Charges	\$ 576,000	\$ 233,574	40.55%	\$ 241,790	\$ 506,100	\$ (8,217)	-3.40%	
Toter Fees	\$ 265,000	\$ 188,826	71.26%	\$ 116,799	\$ 234,496	\$ 72,027	61.67%	
Sale of Surplus Power	\$ 3,346,000	\$ 1,039,183	31.06%	\$ 1,354,835	\$ 2,766,103	\$ (315,652)	-23.30%	
Taxes/Assessment Svcs. Other Govt.	\$ 4,950	\$ 4,953	100.06%	\$ 4,504	\$ 4,504	\$ 449	9.98%	
Civil Service Charges-School District	\$ 30,125	\$ 31,981	106.16%	\$ 27,724	\$ 27,724	\$ 4,258	15.36%	
Police Services	\$ 94,500	\$ 32,051	33.92%	\$ 30,041	\$ 94,248	\$ 2,011	6.69%	
Transportation Services, Other Govts.	\$ 4,600	\$ -	0.00%	\$ 4,605	\$ 4,605	\$ (4,605)	-100.00%	
Interest and Earnings	\$ 40,000	\$ 13,195	32.99%	\$ 27,616	\$ 44,182	\$ (14,421)	-52.22%	
Rental of Real Property	\$ 50,585	\$ 33,708	66.64%	\$ 32,958	\$ 51,850	\$ 750	2.28%	
Business and Occupational Licenses	\$ 5,500	\$ 2,850	51.82%	\$ 1,575	\$ 4,600	\$ 1,275	80.95%	
Games of Chance Licenses	\$ 100	\$ 50	50.00%	\$ 70	\$ 130	\$ (20)	-28.57%	
Bingo Licenses	\$ 4,000	\$ 1,803	45.08%	\$ 1,969	\$ 2,881	\$ (166)	-8.42%	
Building & Alterations Permits	\$ 60,000	\$ 17,140	28.57%	\$ 67,364	\$ 80,276	\$ (50,224)	-74.56%	
City Permits	\$ 2,500	\$ 2,250	90.00%	\$ 1,490	\$ 13,008	\$ 760	51.01%	
Sanitary Sewer Permits	\$ 5,000	\$ 235	4.70%	\$ 2,685	\$ 3,890	\$ (2,450)	-91.25%	
Storm Sewer Permits	\$ 500	\$ -	0.00%	\$ 525	\$ 525	\$ (525)	-100.00%	
Fines & Forfeited Bail	\$ 120,000	\$ 69,908	58.26%	\$ 43,267	\$ 131,737	\$ 26,641	61.57%	
Scrap & Excess Materials Sale	\$ 4,000	\$ 2,245	56.12%	\$ 2,121	\$ 11,339	\$ 124	5.85%	
Minor Sales	\$ 100	\$ -	0.00%	\$ -	\$ 266	\$ -	0.00%	
Sale of Real Property	\$ 20,000	\$ 116,552	582.76%	\$ 300	\$ 54,470	\$ 116,252	38750.71%	
Sale of Equipment	\$ 15,000	\$ -	0.00%	\$ 1,381	\$ 1,381	\$ (1,381)	-100.00%	
Insurance Recoveries	\$ 20,000	\$ 7,979	39.90%	\$ 24,836	\$ 58,495	\$ (16,857)	-67.87%	
Refund of Prior Year Expense	\$ 5,000	\$ 10,678	213.55%	\$ 2,871	\$ 2,889	\$ 7,806	271.90%	
Gifts & Donations	\$ 7,500	\$ 2,252	30.03%	\$ 31,190	\$ 41,235	\$ (28,938)	-92.78%	
Other Unclassified Revenues	\$ 1,000	\$ 116	11.64%	\$ 291	\$ 2,112	\$ (175)	-59.99%	
Central Printing & Mailing	\$ 3,200	\$ 1,767	55.21%	\$ 1,524	\$ 3,211	\$ 242	15.89%	
Central Garage	\$ 115,000	\$ 47,855	41.61%	\$ 65,926	\$ 122,936	\$ (18,071)	-27.41%	
State Aid, Per Capita	\$ 7,803,208	\$ 714,869	9.16%	\$ 714,869	\$ 4,703,208	\$ -	0.00%	
State Aid, Mortgage Tax	\$ 300,000	\$ 285,300	95.10%	\$ 131,909	\$ 307,384	\$ 153,391	116.29%	
State Aid, Other	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%	
State Reimbursement-Worker's Comp.	\$ 69,000	\$ 5,043	7.31%	\$ 9,763	\$ 40,522	\$ (4,720)	-48.35%	
State Reimbursement-Court Security	\$ 37,700	\$ -	0.00%	\$ -	\$ 35,532	\$ -	0.00%	
State Reimbursement-Court Postage	\$ 1,752	\$ 876	50.00%	\$ 876	\$ 1,752	\$ -	0.00%	
State Reimbursement-CHIPS	\$ 4,775	\$ 94	1.97%	\$ 6,921	\$ 9,177	\$ (6,827)	-98.64%	
State Mass Transportation Assistance	\$ 225,000	\$ 129,552	57.58%	\$ 84,946	\$ 226,264	\$ 44,606	52.51%	
State Aid-Bus Projects	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%	
State Aid, Youth Program	\$ 3,970	\$ 4,891	0.00%	\$ 6,499	\$ 6,499	\$ (6,499)	-100.00%	

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	2012-13		Y-T-D % of Budget		2011-12		Current YTD vs. Prior YTD	
	Revised Budget	Current Y-T-D	(Dec = 50%)	Prior Y-T-D	Actual	Variance	%	
State Aid, Juvenile Program	\$ 3,000	\$ -	0.00%	\$ 4,052	\$ 4,052	\$ (4,052)	-100.00%	
State Aid, Other Home & Community Service	\$ 19,875	\$ -	0.00%	\$ 9,000	\$ 34,134	\$ (9,000)	-100.00%	
Federal Aid Police Block Grant	\$ -	\$ 2,606	0.00%	\$ 14,128	\$ 111,265	\$ (11,522)	-81.55%	
Federal Aid Highway Safety	\$ 7,290	\$ 7,001	96.03%	\$ 7,842	\$ 8,131	\$ (841)	-10.73%	
Federal Transportation Assistance	\$ 137,300	\$ -	0.00%	\$ -	\$ 130,800	\$ -	0.00%	
Interfund Transfers	\$ 186,475	\$ -	0.00%	\$ 18,043	\$ 335,566	\$ (18,043)	-100.00%	
Total Revenue	\$ 40,522,645	\$ 20,300,791	50.10%	\$ 20,046,097	\$ 36,713,100	\$ 254,694	1.27%	
Appropriated Fund Balance	\$ 2,149,500	\$ -	0.00%	\$ -	\$ 1,117,472	\$ -	0.00%	
Revenue and Fund Balance	\$ 42,672,145	\$ 20,300,791	47.57%	\$ 20,046,097	\$ 37,830,571	\$ 254,694	1.27%	

General Fund Expenditures

Legislative Board	\$ 70,995	\$ 39,566	55.73%	\$ 37,636	\$ 72,825	\$ 1,930	5.13%
Mayor	\$ 28,940	\$ 18,522	64.00%	\$ 18,593	\$ 28,046	\$ (71)	-0.38%
Municipal Executive	\$ 520,639	\$ 308,468	59.25%	\$ 249,590	\$ 504,837	\$ 58,878	23.59%
Comptroller	\$ 540,771	\$ 286,896	53.05%	\$ 276,526	\$ 544,885	\$ 10,370	3.75%
Purchasing	\$ 130,967	\$ 70,658	53.95%	\$ 62,494	\$ 124,269	\$ 8,164	13.06%
Assessment	\$ 288,653	\$ 144,245	49.97%	\$ 127,982	\$ 260,537	\$ 16,263	12.71%
Tax Advertising	\$ 17,450	\$ -	0.00%	\$ -	\$ 17,162	\$ -	0.00%
Property Acquired for Taxes	\$ 38,000	\$ 75,006	197.38%	\$ 23,351	\$ 77,819	\$ 51,655	221.22%
Fiscal Agent Fees	\$ 1,000	\$ -	0.00%	\$ -	\$ 3,331	\$ -	0.00%
Clerk	\$ 219,184	\$ 116,478	53.14%	\$ 137,248	\$ 239,021	\$ (20,771)	-15.13%
Law	\$ 237,380	\$ 126,582	53.32%	\$ 98,152	\$ 243,549	\$ 28,430	28.96%
Civil Service	\$ 83,107	\$ 45,108	54.28%	\$ 39,269	\$ 75,610	\$ 5,839	14.87%
Engineering	\$ 792,973	\$ 370,885	46.77%	\$ 361,838	\$ 689,586	\$ 9,047	2.50%
DPW Administration	\$ 529,545	\$ 269,790	50.95%	\$ 322,526	\$ 613,364	\$ (52,736)	-16.35%
Buildings	\$ 187,749	\$ 88,902	47.35%	\$ 95,949	\$ 176,202	\$ (7,047)	-7.34%
Central Garage	\$ 820,791	\$ 320,361	39.03%	\$ 337,443	\$ 680,562	\$ (17,083)	-5.06%
Central Printing & Mailing	\$ 73,925	\$ 26,773	36.22%	\$ 29,360	\$ 70,451	\$ (2,587)	-8.81%
Information Technology	\$ 539,876	\$ 270,877	50.17%	\$ 265,999	\$ 508,125	\$ 4,878	1.83%
Judgements & Claims	\$ 65,000	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Land	\$ -	\$ -	0.00%	\$ -	\$ 27,180	\$ -	0.00%
Taxes on Property	\$ 31,000	\$ 39,095	126.11%	\$ 28,755	\$ 29,150	\$ 10,340	35.96%
Contingency	\$ 283,200	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Police	\$ 8,023,089	\$ 4,252,857	53.01%	\$ 3,859,428	\$ 7,279,966	\$ 393,429	10.19%
Fire	\$ 8,345,469	\$ 4,673,027	55.99%	\$ 4,434,171	\$ 8,300,475	\$ 238,857	5.39%
Control of Animals	\$ 176,764	\$ 89,651	50.72%	\$ 222	\$ 3,890	\$ 89,429	40283.33%
Safety Inspection	\$ 360,532	\$ 259,828	72.07%	\$ 168,796	\$ 368,941	\$ 91,032	53.93%
DPW Municipal Maintenance	\$ 615,452	\$ 321,156	52.18%	\$ 341,442	\$ 501,648	\$ (20,286)	-5.94%
DPW Road Maintenance	\$ 887,820	\$ 467,362	52.64%	\$ 423,270	\$ 704,639	\$ 44,092	10.42%
DPW Snow Removal	\$ 1,269,268	\$ 337,590	26.60%	\$ 314,117	\$ 1,019,383	\$ 23,473	7.47%
Hydro Electric Production	\$ 364,850	\$ 153,900	42.18%	\$ 135,333	\$ 340,586	\$ 18,568	13.72%
Traffic Control & Lighting	\$ 847,515	\$ 369,010	43.54%	\$ 359,900	\$ 736,571	\$ 9,110	2.53%
Bus	\$ 843,224	\$ 421,373	49.97%	\$ 403,146	\$ 811,544	\$ 18,227	4.52%
Off Street Parking	\$ 83,304	\$ 47,391	56.89%	\$ 40,956	\$ 50,976	\$ 6,435	15.71%
Community Action	\$ 52,000	\$ 26,000	50.00%	\$ 36,000	\$ 62,000	\$ (10,000)	-27.78%
Publicity	\$ 9,375	\$ 4,375	46.67%	\$ 100	\$ 100	\$ 4,275	4275.00%
Private Social Services Agency	\$ 2,200	\$ 2,200	100.00%	\$ 11,600	\$ 11,600	\$ (9,400)	-81.03%
Recreation Administration	\$ 297,199	\$ 143,830	48.39%	\$ 102,091	\$ 191,645	\$ 41,739	40.88%
Thompson Park	\$ 350,678	\$ 201,580	57.48%	\$ 172,461	\$ 290,766	\$ 29,120	16.88%
Recreation Playgrounds	\$ 71,192	\$ 33,067	46.45%	\$ 33,273	\$ 46,238	\$ (206)	-0.62%
Recreation Fairgrounds	\$ 257,968	\$ 152,663	59.18%	\$ 113,132	\$ 180,345	\$ 39,531	34.94%
Recreation Athletic Programs	\$ 143,010	\$ 48,243	33.73%	\$ 20,385	\$ 50,032	\$ 27,858	136.66%
Recreation Outdoor Swimming Pool	\$ 164,318	\$ 126,421	76.94%	\$ 99,547	\$ 135,468	\$ 26,874	27.00%
Recreation Ice Arena	\$ 610,097	\$ 282,779	46.35%	\$ 178,019	\$ 429,531	\$ 104,760	58.85%
Historian	\$ 250	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Zoning	\$ 2,500	\$ 839	33.57%	\$ 1,148	\$ 3,058	\$ (308)	-26.87%
Planning	\$ 24,300	\$ 14,378	59.17%	\$ 1,892	\$ 7,989	\$ 12,486	659.81%
DPW Storm Sewer	\$ 388,913	\$ 199,741	51.36%	\$ 184,720	\$ 305,045	\$ 15,021	8.13%
DPW Refuse & Garbage	\$ 999,112	\$ 421,727	42.21%	\$ 438,587	\$ 1,012,698	\$ (16,860)	-3.84%
Worker's Compensation	\$ 106,000	\$ 11,963	11.29%	\$ 11,865	\$ 99,333	\$ 98	0.83%
Unemployment Insurance	\$ 7,500	\$ 1,119	14.92%	\$ 3,338	\$ 3,704	\$ (2,219)	-66.48%
Health Insurance-Retirees	\$ 3,293,725	\$ 1,623,339	49.29%	\$ 1,526,692	\$ 3,055,625	\$ 96,647	6.33%
Medicare Reimbursements	\$ 309,290	\$ 142,757	46.16%	\$ 138,633	\$ 279,196	\$ 4,124	2.97%

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	2012-13		Y-T-D % of Budget		2011-12		Current YTD vs. Prior YTD	
	Revised Budget	Current Y-T-D	(Dec = 50%)	Prior Y-T-D	Actual	Variance	%	
Compensated Absences	\$ 15,000	\$ -	0.00%	\$ -	\$ (19,273)	\$ -	0.00%	
Other Employee Benefits	\$ 18,255	\$ 4,735	25.94%	\$ 5,045	\$ 11,034	\$ (311)	-6.16%	
General Liability Reserve Transfer	\$ 75,000	\$ 75,000	100.00%	\$ 75,000	\$ 75,000	\$ -	0.00%	
Library Transfer	\$ 1,350,402	\$ 577,500	42.77%	\$ 522,800	\$ 1,499,677	\$ 54,700	10.46%	
Serial Bonds - Principal	\$ 2,152,448	\$ 987,500	45.88%	\$ 1,132,200	\$ 2,569,562	\$ (144,700)	-12.78%	
Serial Bonds-Interest	\$ 610,482	\$ 313,040	51.28%	\$ 372,429	\$ 706,828	\$ (59,389)	-15.95%	
NYPA Loan Principal	\$ -	\$ -	0.00%	\$ 14,783	\$ 27,131	\$ (14,783)	-100.00%	
NYPA Loan Interest	\$ -	\$ -	0.00%	\$ 54	\$ 81	\$ (54)	-100.00%	
Capital Fund Transfer	\$ 932,500	\$ 4,450	0.48%	\$ 5,700	\$ 1,681,031	\$ (1,250)	-21.93%	
Black River Trust Fund Transfer	\$ 10,000	\$ -	0.00%	\$ -	\$ 10,000	\$ -	0.00%	
TOTAL	\$ 42,672,145	\$ 19,410,604	45.49%	\$ 18,194,984	\$ 37,830,571	\$ 1,215,619	6.68%	

Water Fund Revenues

Water Rents	\$ 3,230,000	\$ 1,449,840	44.89%	\$ 1,467,294	\$ 3,219,422	\$ (17,454)	-1.19%
Unmetered Water	\$ 13,000	\$ 7,045	54.20%	\$ 6,428	\$ 11,247	\$ 618	9.61%
Outside User Fees	\$ 1,105,000	\$ 616,276	55.77%	\$ 542,248	\$ 1,152,949	\$ 74,028	13.65%
Water Service Charges	\$ 70,000	\$ 60,689	86.70%	\$ 27,350	\$ 83,657	\$ 33,339	121.90%
Interest & Penalties on Water Rents	\$ 70,000	\$ 31,998	45.71%	\$ 30,561	\$ 56,994	\$ 1,437	4.70%
Interest Earnings	\$ 4,500	\$ 53	1.17%	\$ 2,315	\$ 3,875	\$ (2,262)	-97.72%
Sale of Scrap	\$ 2,000	\$ 3,231	161.57%	\$ -	\$ 5,424	\$ 3,231	#DIV/0!
Sale of Equipment	\$ 1,000	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Insurance Recoveries	\$ 1,000	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Refund of Prior Years Expenditure	\$ 100	\$ -	0.00%	\$ 17	\$ 574	\$ (17)	-100.00%
Premium on Obligations	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Unclassified Revenues	\$ 1,000	\$ 64	6.37%	\$ 82	\$ 1,797	\$ (18)	-21.88%
Metered Water Sales Funds	\$ 125,000	\$ 63,428	50.74%	\$ 64,276	\$ 124,714	\$ (848)	-1.32%
State Aid - Workers Compensation	\$ -	\$ -	0.00%	\$ 25	\$ 25	\$ -	0.00%
State Aid - CHIPS	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
State Aid - Home & Community	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Interfund Transfers	\$ 1,000	\$ -	0.00%	\$ -	\$ 46,935	\$ -	0.00%
Total Revenue	\$ 4,623,600	\$ 2,232,624	48.29%	\$ 2,140,595	\$ 4,707,612	\$ 92,029	4.30%
Appropriated Fund Balance	\$ 43,376	\$ -	0.00%	\$ 254,550	\$ -	\$ (254,550)	-100.00%
Revenue and Fund Balance	\$ 4,666,976	\$ 2,232,624	47.84%	\$ 2,395,145	\$ 4,707,612	\$ (162,521)	-6.79%

Water Fund Expenditures

Taxes on Property	\$ 735	\$ 362	49.20%	\$ 371	\$ 717	\$ (9)	-2.42%
Contingency	\$ 25,610	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Water Administration	\$ 254,090	\$ 123,194	48.48%	\$ 103,506	\$ 230,541	\$ 19,688	19.02%
Source of Supply, Power and Pump	\$ 512,399	\$ 264,662	51.65%	\$ 327,011	\$ 559,664	\$ (62,349)	-19.07%
Water Purification	\$ 1,602,976	\$ 762,140	47.55%	\$ 704,266	\$ 1,424,980	\$ 57,874	8.22%
Transmission and Distribution	\$ 1,350,633	\$ 581,867	43.08%	\$ 587,906	\$ 1,158,710	\$ (6,038)	-1.03%
Worker's Compensation	\$ 7,000	\$ 153	2.19%	\$ 668	\$ 6,600	\$ (515)	-77.10%
Health Insurance	\$ 124,573	\$ 60,256	48.37%	\$ 60,068	\$ 118,951	\$ 188	0.31%
Medicare Reimbursements	\$ 11,988	\$ 4,146	34.58%	\$ 5,146	\$ 10,341	\$ (1,000)	-19.43%
Compensated Absences	\$ 2,000	\$ -	0.00%	\$ -	\$ 7,783	\$ -	0.00%
Other Employee Benefits	\$ 1,001	\$ 513	51.23%	\$ 344	\$ 694	\$ 169	49.17%
General Liability Transfer	\$ 15,000	\$ 15,000	100.00%	\$ 15,000	\$ 15,000	\$ -	0.00%
Serial Bonds - Principal	\$ 400,450	\$ 142,000	35.46%	\$ 508,500	\$ 829,583	\$ (366,500)	-72.07%
Serial Bonds - Interest	\$ 120,482	\$ 61,487	51.03%	\$ 80,085	\$ 146,533	\$ (18,598)	-23.22%
Transfer to Coagulation Reserve	\$ 20,000	\$ -	0.00%	\$ -	\$ 25,000	\$ -	0.00%
Transfer to Capital	\$ 232,500	\$ -	0.00%	\$ 2,276	\$ 134,082	\$ (2,276)	-100.00%
TOTAL	\$ 4,681,436	\$ 2,015,779	43.06%	\$ 2,395,145	\$ 4,669,177	\$ (379,366)	-15.84%

CITY OF WATERTOWN
FY 2012/13 FINANCIAL REPORT (UNAUDITED)
THROUGH THE QUARTER ENDING DECEMBER 31, 2012

	2012-13	Current Y-T-D	Y-T-D % of Budget		2011-12	Current YTD v
	Revised Budget		(Dec = 50%)	Prior Y-T-D	Actual	
Sewer Fund Revenues						
Sewer Rents	\$ 2,542,000	\$ 1,115,145	43.87%	\$ 1,116,708	\$ 2,516,492	\$ (1,563)
Sewer Charges	\$ 324,750	\$ 441,717	136.02%	\$ 488,516	\$ 1,033,338	\$ (46,799)
Interest & Penalties on Sewer Rents	\$ 60,000	\$ 26,175	43.63%	\$ 32,652	\$ 56,657	\$ (6,477)
Sewer Rents-Governments	\$ 1,633,000	\$ 715,271	43.80%	\$ 739,706	\$ 1,597,626	\$ (24,436)
Interest Earnings	\$ 5,200	\$ 291	5.60%	\$ 3,164	\$ 5,951	\$ (2,872)
Permit Fees	\$ 20,000	\$ 19,750	98.75%	\$ 19,250	\$ 19,500	\$ 500
Sale of Scrap	\$ 1,000	\$ 398	39.83%	\$ 412	\$ 2,979	\$ (14)
Sale of Equipment	\$ 1,000	\$ -	0.00%	\$ -	\$ -	\$ -
Refund of Prior Years Expenditure	\$ -	\$ -	0.00%	\$ 132	\$ 132	\$ (132)
Premium on Obligations	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -
Unclassified Revenues	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -
Interfund Revenues	\$ 229,770	\$ 110,427	48.06%	\$ 137,573	\$ 234,942	\$ (27,146)
State Aid - Workers Compensation	\$ -	\$ -	0.00%	\$ -	\$ 625	\$ -
State Aid - CHIPSS	\$ 1,000	\$ -	0.00%	\$ -	\$ -	\$ -
Interfund Transfer	\$ 1,000	\$ -	0.00%	\$ -	\$ 17,551	\$ -
Total Revenue	\$ 4,818,720	\$ 2,445,079	50.74%	\$ 2,538,113	\$ 5,485,793	\$ (93,034)
Appropriated Fund Balance	\$ 730,389	\$ 31,495	4.31%	\$ -	\$ -	\$ 31,495
Total Revenue	\$ 5,549,109	\$ 2,476,574	44.63%	\$ 2,538,113	\$ 5,485,793	\$ (61,539)

Sewer Fund Expenditures

Sewer Administration	\$ 227,392	\$ 101,754	44.75%	\$ 66,935	\$ 172,975	\$ 34,818
Sanitary Sewer	\$ 540,857	\$ 282,463	52.23%	\$ 271,565	\$ 445,867	\$ 10,898
Sewage Treatment and Disposal	\$ 3,093,060	\$ 1,667,239	53.90%	\$ 1,311,790	\$ 2,661,979	\$ 355,450
Contingency	\$ 22,090	\$ -	0.00%	\$ -	\$ -	\$ -
Worker's Compensation	\$ 5,500	\$ 129	2.34%	\$ 529	\$ 5,225	\$ (400)
Unemployment Insurance	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -
Health Insurance- Retirees	\$ 159,642	\$ 76,062	47.65%	\$ 67,185	\$ 139,110	\$ 8,877
Medicare Reimbursements	\$ 13,187	\$ 5,944	45.08%	\$ 5,921	\$ 11,616	\$ 23
Compensated Absences	\$ 1,000	\$ -	0.00%	\$ -	\$ 8,635	\$ -
Other Employee Benefits	\$ 1,351	\$ 468	34.62%	\$ 344	\$ 694	\$ 124
General Liability Transfer	\$ 15,000	\$ 15,000	100.00%	\$ 15,000	\$ 15,000	\$ -
Serial Bonds - Principal	\$ 451,294	\$ 257,500	57.06%	\$ 291,300	\$ 492,301	\$ (33,800)
Serial Bonds - Interest	\$ 134,809	\$ 70,016	51.94%	\$ 79,505	\$ 152,709	\$ (9,489)
NYPA Principal	\$ -	\$ -	0.00%	\$ 1,000	\$ 1,836	\$ (1,000)
NYPA Interest	\$ -	\$ -	0.00%	\$ 4	\$ 5	\$ (4)
Transfer to Capital Reserve Fund	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -
Transfer to Capital Fund	\$ 1,015,000	\$ -	0.00%	\$ -	\$ 782,015	\$ -
TOTAL	\$ 5,680,182	\$ 2,476,574	43.60%	\$ 2,111,078	\$ 4,889,968	\$ 365,496

Library Fund Revenues

Library Fines	\$ 18,000	\$ 8,510	47.28%	\$ 9,674	\$ 18,624	\$ (1,164)
Refund of Prior Years Expenditure	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -
Library Grant	\$ 51,484	\$ 25,742	50.00%	\$ 25,742	\$ 51,484	\$ -
Interfund Transfer	\$ 1,350,402	\$ 577,500	42.77%	\$ 522,800	\$ 1,499,677	\$ 54,700
Total Revenue	\$ 1,419,886	\$ 611,752	43.08%	\$ 558,216	\$ 1,569,784	\$ 53,536
Appropriated Fund Balance	\$ 150,000	\$ 1,420	0.95%	\$ -	\$ -	\$ 1,420
Revenue and Fund Balance	\$ 1,569,886	\$ 613,172	39.06%	\$ 558,216	\$ 1,569,784	\$ 54,956

Library Fund Expenditures

Contingency	\$ 3,107	\$ -	0.00%	\$ -	\$ -	\$ -
Library Fund Expenditures	\$ 995,102	\$ 500,205	50.27%	\$ 428,021	\$ 850,232	\$ 72,183
Worker's Compensation	\$ 2,500	\$ 61	2.45%	\$ 236	\$ 2,330	\$ (175)
Health Insurance	\$ 108,074	\$ 54,037	50.00%	\$ 51,090	\$ 102,180	\$ 2,947
Medicare Reimbursements	\$ 16,783	\$ 8,392	50.00%	\$ 8,098	\$ 16,489	\$ 294
Compensated Absences	\$ 250	\$ -	0.00%	\$ -	\$ 4,065	\$ -
Other Employee Benefits	\$ 425	\$ 229	53.91%	\$ 172	\$ 347	\$ 57
Serial Bonds - Principal	\$ 43,000	\$ 43,000	100.00%	\$ 43,000	\$ 57,330	\$ -
Serial Bonds - Interest	\$ 13,637	\$ 7,248	53.15%	\$ 8,251	\$ 15,643	\$ (1,003)
NYPA Principal	\$ -	\$ -	0.00%	\$ 9,349	\$ 17,159	\$ (9,349)
NYPA Interest	\$ -	\$ -	0.00%	\$ 34	\$ 51	\$ (34)
Transfer to Capital	\$ 350,000	\$ -	0.00%	\$ -	\$ 483,006	\$ -
TOTAL	\$ 1,532,878	\$ 613,172	40.00%	\$ 548,251	\$ 1,548,833	\$ 64,921

CITY OF WATERTOWN
FY 2012/13 FINANCIAL REPORT (UNAUDITED)
THROUGH THE QUARTER ENDING DECEMBER 31, 2012

	2012-13		Y-T-D % of Budget		2011-12		Current YTD vs. Prior YTD	
	Revised Budget	Current Y-T-D	(Dec = 50%)	Prior Y-T-D	Actual		Variance	%

Self-Insurance Fund Revenues

Shared Service Charges	\$ 6,849,143	\$ 3,364,155	49.12%	\$ 3,179,752	\$ 6,355,488	\$ 184,403	5.80%
Interest and Earnings	\$ 5,000	\$ 69	1.37%	\$ 3,349	\$ 5,925	\$ (3,280)	-97.95%
Insurance Recoveries	\$ 250,000	\$ -	0.00%	\$ 78,107	\$ 434,428	\$ (78,107)	-100.00%
Medicare Part D reimbursement	\$ 160,000	\$ 13,991	8.74%	\$ 67,217	\$ 188,137	\$ (53,226)	-79.19%
Refund of Prior Years Expenditure	\$ -	\$ 1,662	0.00%	\$ -	\$ -	\$ 1,662	#DIV/0!
Employee Contributions	\$ 602,374	\$ 291,567	48.40%	\$ 270,331	\$ 539,642	\$ 21,236	7.86%
Unclassified Revenues	\$ -	\$ -	0.00%	\$ -	\$ -	\$ -	0.00%
Prescription Reimbursements	\$ 85,000	\$ 50,688	59.63%	\$ 38,189	\$ 157,575	\$ 12,499	32.73%
Federal Early Retiree Reinsurance Program	\$ -	\$ -	0.00%	\$ 34,974	\$ 34,974	\$ (34,974)	-100.00%
Total Revenue	\$ 7,951,517	\$ 3,722,132	46.81%	\$ 3,671,919	\$ 7,716,169	\$ 50,213	1.37%
Appropriated Fund Balance	\$ 310,000	\$ -	0.00%	\$ 133,903	\$ -	\$ (133,903)	-100.00%
Revenue and Fund Balance	\$ 8,261,517	\$ 3,722,132	45.05%	\$ 3,805,823	\$ 7,716,169	\$ (83,691)	-2.20%

Self-Insurance Fund Expenditures

Administration	\$ 667,679	\$ 306,597	45.92%	\$ 352,541	\$ 621,067	\$ (45,944)	-13.03%
Medical Claims	\$ 4,881,231	\$ 2,270,267	46.51%	\$ 2,271,871	\$ 4,354,097	\$ (1,604)	-0.07%
Pharmacy Claims	\$ 2,712,607	\$ 995,483	36.70%	\$ 1,181,411	\$ 2,591,076	\$ (185,928)	-15.74%
TOTAL	\$ 8,261,517	\$ 3,572,347	43.24%	\$ 3,805,823	\$ 7,566,240	\$ (233,476)	-6.13%

February 13, 2013

To: The Honorable Mayor and City Council
From: Brian Phelps, City Assessor
Subject: New York Air Brake PILOT Modification Request

The New York Air Brake Corporation is requesting an amendment to the 1995 Payment in Lieu of Taxes agreement. The amendment seeks to reduce the amount of the PILOT payments to equal the amount of taxes that would be paid as if the property had no tax exemptions.

This situation arose due to the original PILOT dictating an "assessment" for life of the agreement that is considerably higher than the current assessment.

The impact to the City would be felt in the next payment due in July. The payment last year was \$31,774.68, assuming no change to the tax rate the 2013 payment would be \$20,673.94.

They are also requesting a change to the language that would prevent double taxation in the fiscal year that the property is transferred from IDA control. The proposed language is similar to the standard language in more recent PILOT agreements.

**AMENDMENT NUMBER ONE
TO PAYMENT IN LIEU OF TAXES AGREEMENT
(THE "PILOT AGREEMENT")**

This Amendment Number One is to a Payment in Lieu of Taxes Agreement by and among the **NEW YORK AIR BRAKE CORPORATION, KNORR BRAKE HOLDING CORPORATION, U.S., JEFFERSON COUNTY INDUSTRIAL DEVELOPMENT AGENCY, COUNTY OF JEFFERSON, CITY OF WATERTOWN** and **GREATER WATERTOWN SCHOOL DISTRICT** dated as of the last signature to the PILOT Agreement, September 21, 1995.

This Amendment Number One to the PILOT Agreement is made and effective as of January 1, 2013 by and among the parties above referenced and in their capacity as defined in the Pilot Agreement.

The purpose of this Amendment is to change the definitions in Paragraph 1 and to change the formula and method of determining the PILOT payments in Paragraph 2 of the PILOT Agreement.

Now therefore the parties hereto agree as follows:

1. Definitions. Terms used but not otherwise defined herein shall have the meanings ascribed to such terms in the PILOT Agreement as amended.

2. All of the definitions in Paragraph 1 of the PILOT Agreement except Facility are hereby deleted. Facility is now changed and shall mean the following:

"Facility" means for the purpose of this Amendment, all of the Land and Improvements thereon as described in the Lease Agreement and currently assessed at an assessed value of Two Million Eight Hundred Seventy Six Thousand and No/100 Dollars (\$2,876,000.00) by the City".

3. Paragraph 2 of the PILOT Agreement is hereby deleted and the following added in its place:

"Commencing with the tax year beginning January 1, 2013 and for as long as the Facility is owned by the Agency and leased to the Company, the Payment Obligor agrees to pay to the Agency on behalf of the Taxing Jurisdictions in lieu of all taxes and assessments which would be levied upon the Facility during such tax years as if it were owned by the Company and not by the Agency, the amounts determined according to the following formula:

$$\text{PILOT} = \text{AV} \times \text{ATR} \times \text{PR}$$

WHERE

PILOT = Amount of payment in lieu of taxes due to the Taxing Jurisdictions for the applicable tax year.

AV = Assessed Value of the Facility which shall be determined from time to time by the City and which

is now assessed at _____
Dollars (\$ _____).

ATR = Actual Tax Rate for the respective Taxing Jurisdictions for the applicable year.

PR = Payment Ratio which for the purpose of this Amendment is 1.00 for the applicable tax year.

4. The last sentence in Paragraph 3 of the PILOT Agreement is hereby deleted.

5. Paragraph 4 of the PILOT Agreement is amended to add the following language:

“Should the Facility or the Additions be conveyed to the Company and thus become taxable pursuant to New York RPTL Section 520, any payments payable under this Agreement as payments required in Lieu of Taxes shall be reduced by the amount of any taxes which are required to be paid under RPTL Section 520 for any such current tax year or portion thereof, and should such payment in lieu of taxes already have been made, the Taxing Jurisdictions shall refund any such amounts owing to the Company”.

6. The parties hereby ratify and confirm all of the other terms, covenants and conditions of the PILOT Agreement except as herein specifically modified.

7. This Amendment Number One has been ratified and confirmed by all of the parties hereto and each party has the authority to execute and deliver this Amendment Number One. It shall be binding on the parties hereto and their respective successors and assigns.

8. This Amendment may be executed in any number of counterparts, each of which shall deem to be an original for all purposes and all of which will constitute collectively a single Agreement. In making proof of this Amendment, it shall not be necessary to produce or account for more than one such counterpart.

9. This Amendment Number One shall become effective in respect to each of the parties hereto when signed by such party.

IN WITNESS WHEREOF, the parties hereto have executed and delivered this Amendment Number One as of the date as set forth above.

SIGNATURE:

NEW YORK AIR BRAKE COMPANY

By: _____
Michael J. Hawthorne, President

JEFFERSON COUNTY INDUSTRIAL
DEVELOPMENT AGENCY

By: _____
Donald C. Alexander, CEO

CITY OF WATERTOWN

By: _____
Jeffrey E. Graham, Mayor

COUNTY OF JEFFERSON

By: _____
Carolyn D. Fitzpatrick, Chairperson

WATERTOWN CENTRAL SCHOOL
DISTRICT formerly known as
GREATER WATERTOWN SCHOOL
DISTRICT

By: _____
Michael R. Flick, Board President

KNORR BRAKE HOLDING
CORPORATION, U.S.

By: _____
J. Paul Morgan, Vice President

Briefing on the 2013-14 Executive Budget

AIM Funding – The Executive Budget proposes to preserve AIM funding at current year levels, totaling \$715 million for cities, villages and towns. However, the Budget would also continue the elimination of AIM funding for New York City.

Pension Reform – The Executive Budget includes a new Stable Rate Pension Contribution Option that, beginning in state fiscal year 2013-14, will give local governments and school districts the option to “lock in” to stable, predictable rates (12.0% for ERS and 18.5% for PFRS rather than the normal rates of 20.9% and 28.9%, respectively) for a term of 25 years. This stable rate option -- which requires the approval of the State Comptroller -- would dramatically reduce payments in the short-term but will require higher than normal contributions at some point in the future when normal rates fall below the stable rates. Local governments would have the ability to opt into the plan, as well as opt out at a later date if desired. At the time of departure, the State Comptroller would determine the amount the municipality may owe (i.e., the reconciliation payment), for which the municipality would have five years to pay off.

It should be noted that the stable rates were determined based on actuarial studies and assumptions, and appear to be conservative as they are slightly higher than the long-term actuarial contribution rate for Tier 3 employees. Furthermore, the proposal provides that in state fiscal year 2017 and again in state fiscal year 2022, the Comptroller would have the opportunity to adjust this rate (by not more than 2% and never below 12% or 18.5%) if deemed necessary to protect the integrity of the Fund. Every five years, the Comptroller would have the opportunity to adjust the 25-year term as well. These safeguards, coupled with the fact that the State and public authorities -- who make up a substantial portion of the ERS and PFRS salary base -- are not included in this proposal, should ensure the system’s fiscal solvency under this plan. For years, NYCOM has been calling for a stable contribution rate that is reasonable and predictable. As a result, we are very supportive of our members being given this option.

Binding Arbitration – The Executive Budget includes a proposal that would reform the binding arbitration process by limiting awards imposed upon fiscally distressed local governments. A local government would be deemed fiscally distressed if they meet one of the following two criteria:

- **Full Value Property Tax Rate:** If the local government's full value property tax rate, averaged over the most recent five fiscal years, is in the 75th percentile or higher of all municipalities statewide,

or

- **Fund Balance:** If the fund balance of the local government's General Fund as a percent of General Fund expenditures, averaged over the most recent five fiscal years, is less than 5%.

If a local government is deemed fiscally distressed, an arbitration panel would not be permitted to issue an award that increases the employees' total compensation package by more than 2% annually. This limit would apply to all compensation and benefits, except pensions and the first 2% increase in health insurance costs. NYCOM is seeking expansion of this proposal so that it would apply to all cities (including NYC) and villages subject to binding arbitration (i.e., those with a paid police or fire department), as well as address the lack of transparency in the current arbitration process.

Transportation Aid – Funding for CHIPS and Marchiselli Aid would remain at current year levels of \$363 million and \$39.7 million, respectively.

Consolidation and Performance Incentives – The Executive Budget includes \$79 million for programs that reward local government consolidation and performance improvements. Of this amount, \$35 million would be for Citizen Empowerment Tax Credits and Citizens Reorganization Empowerment Grants.

- **Citizen Empowerment Tax Credits** – Funding would be available to incentivize local government consolidation or dissolution, providing a bonus equal to 15% of the newly combined local government's tax levy. At least 70% of such amount must be used for direct relief to property taxpayers.
- **Citizens Reorganization Empowerment Grants** – Funding would be available for grants up to \$100,000 for local governments to cover costs associated with studies, plans and implementation efforts related to local government reorganization activities. The local match for planning or study grants initiated by the local government would be increased from 10% to 50%. Upon approval of the local government reorganization, this 40 percentage point increase in local match would be refunded.

The remaining \$44 million would be allocated as follows:

- **Local Government Performance and Efficiency Program** – Funding totaling \$40 million would be available for competitive one-time awards of up to \$25 per capita, capped at \$5 million, that recognize local governments that have achieved efficiencies and performance improvements.
- **Local Government Efficiency Grants** – Funding of \$4 million would continue to cover costs associated with local government efficiency projects, such as planning for and/or implementation of a functional consolidation, shared or cooperative services, and regionalized delivery of services. The local match for planning or study grants would be increased from 10% to 50%. If a local government implements a previously completed planning project, the local match for the planning project would be refunded (up to the local share for implementation). In addition, the maximum award for planning grants would be reduced from \$25,000 per municipality to \$12,500 per municipality and from \$200,000 to \$100,000 per grant.

Traffic Adjudication Amendments – To reduce the occurrence of “pleading down” certain traffic violations, the Executive Budget includes a proposal to restrict plea bargaining except in limited circumstances documented by the court. For example, if a person is stopped for exceeding the speed limit by more than 20 mph, a plea of guilty would have to be to at least a point-bearing violation. In addition, the proposal would impose an \$80 surcharge on the parking violations that drivers often plead down from speeding violations. We have been advised that the primary purpose of this proposal is to increase highway safety by ensuring that persistent speeders will no longer be able to escape monetary and license sanctions by repeatedly pleading to offenses that do not appear on a driving record. However, this proposal could have a negative impact on local revenue.

Local Government Reporting Requirements – The Executive Budget includes a proposal that would require all state-mandated reporting requirements for local governments to “sunset” on April 1, 2014, unless the associated state agency seeks and receives a waiver from the Mandate Relief Council.

IDA State Sales Tax Abatement – The Executive Budget would prohibit an IDA from granting State sales tax exemption benefits for any project that is not in the Excelsior Jobs Program, or to a business that would not be eligible to participate in such Program. Before an IDA could award state sales tax benefits to an IDA project, the Commissioner of Economic Development would need to determine, in consultation with the Regional Economic Development Council, that the benefit plan for that project is consistent with regional economic development strategies.

This proposal would also provide that State sales tax benefits could not be taken as up-front exemptions on the purchase of property or services. Rather, the agent or project operator would need to submit a claim for credit or refund to obtain those benefits. Furthermore, if an IDA sets up a payment in lieu of taxes (PILOT) agreement for State sales taxes, the IDA must remit those payments to the State. If an IDA recaptures State sales tax monies from its agent or project operator, it would be required to turn such monies over to the Tax Commissioner. Currently, IDAs are not required to turn over such payments, and an IDA that recovers State tax monies may retain them for itself. NYCOM believes this proposal would be harmful to local economic development efforts.

County Sales Tax Rate Renewals – The Executive Budget would allow counties to renew their *existing* sales tax authority without going to the State Legislature. Such renewal would only require a majority vote of the county legislature every two years. Any proposed rate increases would continue to require State Legislative approval.

Regional Economic Development Councils – The Executive Budget authorizes a third round of funding for the Regional Councils totaling \$200 million in competitive resources – \$150 million in new capital funding and \$70 million in tax credits from the Excelsior Jobs Program.

Sandy Relief – The Executive Budget includes appropriations of \$21 billion for disaster-related recovery, rebuilding and mitigation. An estimated \$30 billion of additional Federal aid will flow through these appropriations or be directly administered by the Federal government, local governments and other entities. Among other things, these resources will support community reconstruction and mitigation plans, home buy-out programs, rebuilding and hardening of critical infrastructure, repair of natural infrastructure to protect coastal communities, universal protocols for emergency response and direct financial assistance.

Utility Assessment – As part of the 2009-10 State Budget, the State increased its assessment on regulated utility companies from one-third of 1% of gross intra-state revenues, to 2%. In addition to New York State gas, electric, steam and water corporations and the Long Island Power Authority, the increased assessment applies to municipal electric and gas corporations. Although this assessment was scheduled to be reduced by 1% this year, the Executive Budget would extend the assessment at the 2% level until March 31, 2019, generating \$254 million in revenues in 2013-14 and \$509 million annually thereafter, which would be used to support the state's general fund. While this assessment has a direct impact on municipally-operated utilities, the surcharge also negatively affects all utility customers, including local governments and their residents, as a portion of it appears as a charge on consumer utility bills.

Environmental Protection Fund (EPF) – The Executive Budget would increase funding for the EPF by \$19 million over current year levels for a total of \$153 million. This would include \$82 million for the Open Space Program, \$58.3 million for the Parks and Recreation Program and \$12.7 million for the Solid Waste Program. In addition, \$10 to \$12 million in capital funds would be committed to the Environmental Restoration Program which provides financial assistance to municipalities seeking to cleanup and redevelop underutilized contaminated properties.

Minimum Wage Increase – The Executive Budget would increase the minimum wage from \$7.25 to \$8.75 an hour, bringing it more in line with the cost of living. The change would take effect July 1, 2013. Over 705,000 workers would be affected and total wages would increase by an estimated \$1.01 billion per year. Local governments would not be affected by this change, as they are only subject to the Federal minimum wage requirements.

Aid for Municipalities with Video Lottery Terminals (VLTs) – Under current law, 17 municipalities – including the cities of Saratoga Springs and Batavia, as well as the villages of Monticello and Vernon – receive state aid to help offset a portion of the costs associated with being a “host community” for video lottery gaming operations. The Executive Budget would continue this aid at current year levels of \$25.9 million.

NYSHIP Medicare Reimbursement – Under the proposed Executive Budget, local governments enrolled in NYSHIP would no longer be required to reimburse higher-income retirees for supplemental Medicare Part B premiums. However, they could continue to do so if they so choose.

Workers Compensation Reform – The Executive Budget would increase workers compensation benefits and implement reforms to the system that would reduce costs for local governments and businesses alike. Specifically the Budget would simplify the current assessment process, close unnecessary funds, expand the State Insurance Fund’s investment opportunities, and add transparency and equity to the system.

Unemployment Insurance Reform – The Executive Budget includes proposed changes to New York’s Unemployment Insurance system – including stabilizing the Trust Fund, removing obligations when employees are terminated or resign, reducing benefits when employees receive severance or pension, and combating fraud. These reforms will not only benefit local governments as employers, but also the businesses that are the heart of local communities.

Design-Build – The Executive Budget would permit State agencies and authorities to use design-build contracts and design-build-finance contracts for certain capital projects. Design-build is a method of project delivery in which a single contract is executed with a single entity or team providing architectural, engineering and construction services. By relying on a single point of responsibility, the design-build model minimizes risks for the project owner, reduces the delivery schedule by consolidating the design phase and construction phase with a single source of contact, and cuts costs by streamlining the construction process. NYCOM would like to see this proposal expanded to include local governments.

Historic Commercial Properties Rehabilitation Credit – The Executive Budget would extend the existing \$5 million per project historic commercial property tax credit for five years (2015-2019) and make the credit refundable beginning in tax year 2015.

Prison Closures – The Executive Budget recommends the closure of two prisons – Bayview in Manhattan and Beacon in Dutchess County. Closure of the facilities will impact 273 employment positions, all of which can be absorbed in the current system.

Financial Restructuring Assistance Program – While the Executive Budget does not include language on the Governor’s proposed *Financial Restructuring Assistance Program*, he reiterated in his budget address that it would be a joint task force with the Comptroller, the Attorney General, the Division of the Budget and private sector financial restructuring consultants to help a locality work through its financial problems.

Additional Issues of Interest

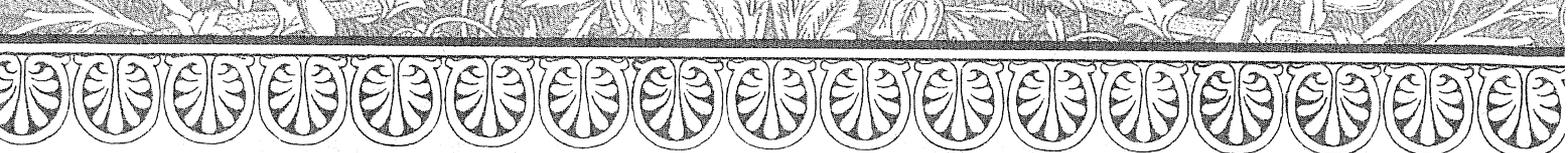
Uniform Notice of Claim Act

The Uniform Notice of Claim Act (Chapter 500 of the Laws of 2012) amends numerous provisions of State law including the Civil Practice Law and Rules and the General Municipal Law. The Act, which is effective June 15, 2013, designates the Secretary of State as an agent for all of New York's local governments, political subdivisions, public authorities, and public benefit corporations for purposes of service of notices of claim against such entities, which is required by General Municipal Law § 50-e as a condition precedent to commencing legal actions. The Secretary of State is required to forward a copy of any papers served upon it to the entity named in the notice of claim. Service of the notice of claim is complete when served on the Secretary of State.

Every local government and political subdivision of the State covered by the Act must, no later than July 15, 2013, file a certificate with the Secretary of State designating the Secretary as the agent for service of a notice of claim. The filing must include the name and address of an officer, person, or designee, nominee or other agent-in-fact for the transmittal of notices of claim served upon the Secretary as the public corporation's agent. (As of February 7, 2013, the Secretary of State has not yet published a form to file the certificate). Failing to file a certificate will not invalidate any notice of claim served on the Secretary of State. The Act authorizes the Secretary of State to impose a filing fee of up to \$250 for service of a notice of claim on the Secretary of State. Half of the fee is to be retained by the Secretary of State, and the other half is to be remitted to the entity or entities named in the notice of claim. In addition, the Act extends the statute of limitations for tort actions against local governments and political subdivisions from one year to one year and ninety days.

Finally, in another potentially substantial change, the Act amends State law in a way that could be interpreted as modifying when the statute of limitations begins running in tort actions against municipalities. Prior to the Act's adoption, the statute of limitations in tort actions against local governments began running from the date of the "happening of the event upon which the claim is based." See General Municipal Law § 50-i(1). However, the Act creates a new section, Civil Practice Law and Rules § 217-A, which starts the running of the statute of limitations from the date on which the cause of action accrues. This amendment could potentially be interpreted as changing the date from which the statute of limitations begins running to favor plaintiffs.

NYCOM objected to this legislation prior to its enactment because the Act would compromise a local government's ability to properly investigate and respond to claims prior to the commencement of legal action. An amendment to the law is currently making its way through the State Legislature that will address this concern.



The staff of the Roswell P. Flower Memorial
Library cordially invites you to join us for a
celebration of the Library's great benefactor

Emma Flower Taylor

on Saturday March 23, 2013

2:00 pm to 5:00 pm.

The celebration will include tea and cookies
provided by

DeVito's
Catering est. 1989



We will also be offering historical tours of the
Library and an Emma Flower Taylor presentation
in the Community Room. This event is free and
open to the public. We hope to see you there!

