

**CITY COUNCIL MEETING
CITY OF WATERTOWN
June 16, 2014
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Stephen A. Jennings
Council Member Teresa R. Macaluso
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Jim Mills, Ken Mix, Kurt Hauk, Michael Sligar, Amy Pastuf, Fire Chief Herman, Deputy Chief Randall, Brain Phelps, Amie Davis, Beth Morris, Erin Gardner, David Wurzburg, Eugene Hayes

The City Manager presented the following reports to Council:

- Resolution No. 1 - Amendment No. 97 to the Management And Management Confidential Pay Plan
- Resolution No. 2 - Approving Contract for Use of Buildings and Grounds, Watertown City School District
- Resolution No. 3 - Accepting Bid for Unarmed Security for the Flower Memorial Library, ICU Security and PI
- Resolution No. 4 - Accepting Bid for Ready-Mix Concrete, Champion Concrete
- Resolution No. 5 - Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company
- Resolution No. 6 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical
- Resolution No. 7 - Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical
- Resolution No. 8 - Accepting Bid for Dry Polymer, Slack Chemical Company, Inc.
- Resolution No. 9 - Accepting Bid for Ferric Chloride, Kemira Water Solutions, Inc.
- Resolution No. 10 - Approving Agreement for Professional Services for Air Handler and Boiler Replacements, Flower Memorial Library and City Hall, Stantec Consulting Services Inc.
- Resolution No. 11 - Approving a Site Plan for the Construction of a 7,800 Square Foot Accountant's Office at VL-9 Commerce Park Drive East, Parcel 8-50-101.150
- Resolution No. 12 - Approving Professional Services Agreement Between the City of Watertown and Ralph Marcellus, LCSW-R, ACSW, CASAC
- Resolution No. 13 - Approving Agreement for the Provision of Water Services Between the Town of Watertown and City of Watertown
- Resolution No. 14 - Establishing Property Tax Rate for Fiscal Year 2014-15
- Resolution No. 15 - Approving 2014-15 Operating Budgets, City of Watertown, New York
- Resolution No. 16 - Approving 2014-15 through 2018-19 Capital Program Budget, City of Watertown, New York
- Resolution No. 17 - Approving Franchise Agreement Between the City of Watertown and Top Shelf Hockey, LLC

- Public Hearing - Local Law No. 1 of 2014 - Amending Section 253-17 of the City of Watertown Code of the City of Watertown To Provide for Change in Sewer Service Charge
- Public Hearing - A Local Law Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c
- Letter of Support for Local Government Efficiency Implementation Grant
- Bond Refinancing Results
- North Country Transitional Living Services, Inc. Residence Proposal
- Sidewalk Letter, Central Street
- Palmer Street Survey Report
- Property Offer - 111 Orchard Street South (Parcel 10-03-112.000)

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence. Council Member Butler asked that the moment of silence be in memory of lifelong resident, Marsha Treadwell.

Pledge of Allegiance was given.

The reading of the minutes of the adjourned meeting of June 2, 2014, the regular meeting of June 2, 2014 and the adjourned meeting of June 9, 2014 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

PRESENTATIONS

Mayor Graham interrupted the regular course of business to honor Fire Chief Dale C. Herman for his successful completion of the US Fire Administration's National Fire Academy's "Executive Fire Officer Program".

COMMUNICATIONS

A copy of a letter sent to the Development Authority of the North Country by Wesley Grinstead, 232 Central Street regarding the condition of the sidewalk on this street was received.

A letter was received from Timothy A. Farley, on behalf of his client Mark Jones, requesting a Quit Claim Deed from the City of Watertown for the parcels which have been included in tax parcel no. 1-13-206.110.

Above communication was placed on file in the office of the City Clerk.

A claim was received from Stephen Shockley, 456 South Meadow Street seeking reimbursement for damages to his car after hitting a pothole on Arlington Street on or about April 30, 2014.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

S.G. Gates, 157 Dorsey Street addressed the chair stating that the Dog Ordinance is discriminatory and that an event holder should be allowed to decide if the event will be dog friendly. Speaking of the Kite Day Event, he told Council that he attended this with his dog and was asked to leave otherwise he would receive a ticket for trespassing. He also mentioned the support that he had for a Dog Park.

PUBLIC HEARING

At 7:35 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Local Law No. 1 of 2014 - Amending Section 253-17 of the City of Watertown Code of the City of Watertown To Provide for Change in Sewer Service Charge

Mayor Graham declared the hearing open at 7:35 p.m.

No one spoke.

Mayor Graham declared the hearing closed at 7:35 p.m.

At 7:36 p.m. Mayor Graham asked the City Clerk to read the notice of Public Hearing Concerning Local Law No. 2 of 2014 - Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c

Mayor Graham declared the hearing open at 7:36 p.m.

S.G. Gates, 157 Dorsey Street addressed Council in opposition of the increased tax levy. He said that after the hard winter, residents have higher fuel and utility bills and many people are barely getting by. He stated that the increase in taxes may push people outside of the City.

Mayor Graham declared the hearing closed at 7:37 p.m.

RESOLUTIONS

Resolution No. 1 - Amendment No. 97 to the Management And Management Confidential Pay Plan

Introduced by Council Member Roxanne M. Burns

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 97 to the Management and Management Confidential Pay Plan for the position listed below, as follows:

<u>Position</u>	<u>Salary</u>
Library Director	\$68,000

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 2 - Approving Contract for Use of Buildings and Grounds, Watertown City School District

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown desires to run a Summer Recreation Program within the City of Watertown, and

WHEREAS the Watertown City School District is willing to authorize the City to use its facilities for said purpose, and

WHEREAS there is no cost associated with the Agreement between the City of Watertown and the Watertown City School District, and

WHEREAS the City deems the providing of a Summer Recreation Program to be a benefit to the citizens of the City,

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

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

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 3 - Accepting Bid for Unarmed Security for the Flower Memorial Library, ICU Security and PI

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Purchasing Department has advertised and received sealed bids for unarmed security service for the Flower Memorial Library, and

WHEREAS bid specifications were sent to eight (8) prospective security service firms with two (2) bids received and publicly opened and read in the City Purchasing Department on Monday, June 9, 2014 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf reviewed the bids received with Library Director Barbara Wheeler, and it is their recommendation that the City Council accept the bid submitted by ICU Security and PI at the hourly rate of \$20.62 as the lowest qualifying bidder,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by ICU Security and PI for unarmed security service for the Flower Memorial Library at the hourly rate of \$20.62,

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to execute any contracts necessary to complete this acceptance.

Seconded by Council Member Joseph M. Butler, Jr.

Prior to the vote on the foregoing resolution, Council Member Butler asked how the previous vendor's service ended.

Amy Pastuf, Purchasing Manager replied that the previous contract will expire at the end of June. She mentioned that the current vendor did not renew the contract so it was put out to bid.

Council Member Burns said that she is pleased that a local firm is going to provide security because she knew that there was something wrong with a firm from the Bronx wanting this contract. She advised that the City is constrained through the bidding process so it was at no fault of staff but she feels more confident that a local firm is providing security.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 4 - Accepting Bid for Ready-Mix Concrete, Champion Concrete

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready-Mix Concrete for use by various City Departments during Fiscal Year 2014-2015, and

WHEREAS invitations to bid were issued to four (4) prospective bidders with three (3) bids received and publicly opened and read in the City Purchasing Department on Friday, May 23, 2014 at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf reviewed the bids received, and it is her recommendation that the City Council accept the bid submitted by Champion Concrete, as detailed below, all with a 2 yard minimum delivery:

4000 lb. Coarse Mix	\$ 90.26/cubic yard
4000 lb. Fine Mix	\$ 90.26/cubic yard
5000 lb. Fine Mix	\$ 92.08/cubic yard
4000 lb. Course Mix / Heated Concrete	\$100.26/cubic yard
4000 lb. Fine Mix / Heated Concrete	\$100.26/cubic yard
5000 lb. Fine Mix / Heated Concrete	\$102.08/cubic yard

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York accepts the bid submitted by Champion Concrete, as detailed above, for the purchase of Ready-Mix Concrete for use by various City Departments.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 5 - Accepting Bid for Chemicals at the Water Treatment Plant, Thatcher Company

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2014-2015 and 2015-2016 fiscal years' requirements, and

WHEREAS invitations to bid were issued to fourteen (14) bidders, with a total of five (5) bids received, and

WHEREAS on Thursday, May 22, 2014 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department, and it is their recommendation that the City Council accept the bid from Thatcher Company as detailed below:

Item Description	2014-2015 and 2015-2016	
	Unit Price	Total Price
Aluminum Sulfate Liquid	\$218.00 each year	\$79,788.00 each year
Powdered Activated Carbon	\$1,440.00 each year	\$1,440.00 each year
Hydrofluosilicic Acid Solution	\$799.99 each year	\$14,399.83 each year

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Thatcher Company, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Aluminum Sulfate Liquid, Powdered Activated Carbon and Hydrofluosilicic Acid Solution for use at the City's Water Treatment Plant.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 6 - Accepting Bid for Chemicals at the Water Treatment Plant, Slack Chemical

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City's Water Treatment Plant, for the City's 2014-2015 fiscal years' requirements, and

WHEREAS invitations to bid were issued to fourteen (14) bidders, with a total of five (5) bids received, and

WHEREAS on Thursday, May 22, 2014 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department, and it is their recommendation that the City Council accept the bid from Slack Chemical of Carthage, New York, as detailed below:

Item Description	2014-2015	
	Unit Price	Total Price

Chlorine Liquid	\$744.41	\$22,332.30
Sodium Silicate Liquid	\$359.93	\$164,488.01

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Slack Chemical of Carthage, New York, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Chlorine Liquid and Sodium Silicate Liquid for use at the City’s Water Treatment Plant.

Seconded by Council Member Joseph M. Butler, Jr. and carried with all voting yea.

Resolution No. 7 - Accepting Bid for Chemicals at the Water Treatment Plant, Amrex Chemical

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of chemicals for use at the City’s Water Treatment Plant, for the City’s 2014-2015 fiscal years’ requirements, and

WHEREAS invitations to bid were issued to fourteen (14) bidders, with a total of five (5) bids received, and

WHEREAS on Thursday, May 22, 2014 at 11:00 a.m. in the City Purchasing Department, the bids received were publicly opened and read, and

WHEREAS City Manager Amy M. Pastuf reviewed the bids received with the Water Department, and it is their recommendation that the City Council accept the bid from Amrex Chemical, as detailed below:

Item Description	2014-2015	
	Unit Price	Total Price
Copper Sulfate, Size B	\$4,100.00	\$4,100.00

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bids submitted by Amrex Chemical, as detailed above, being the lowest qualifying bidder meeting City specifications, for the purchase of Copper Sulfate, Size B for use at the City’s Water Treatment Plant.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 8 - Accepting Bid for Dry Polymer, Slack Chemical Company, Inc.

Introduced by Council Member Joseph M. Butler, Jr.

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Dry Polymer for use at the City’s Pollution Control Plant, for the City’s 2014-2015 and 2015-2016 fiscal years’ requirements, and

WHEREAS invitations to bid were issued to twelve (12) bidders, with a total of two (2) sealed bids submitted to the City Purchasing Department, and

WHEREAS on Wednesday, May 22, 2014 at 11:00 am in the City’s Purchasing Department, the bid was publically opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bid with Chief Operator Mark Crandall, and it is their recommendation that the City Council accept the bid from Slack Chemical Company, Inc, as detailed below:

		Slack Chemical Company, Inc. StaFloc 6639 or StaFloc 6532			
Chemical	Est. Annual Usage - Lbs.	Option 1		Option 2	
		One Year		Two Years	
		2014-2015		2015-2016	
		Per Unit Price	Ext. Price	Per Unit Price	Ext. Price
Dry Polymer	35,000	\$1.89	\$66,115.00	\$1.96	\$68,425.00

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid submitted by Slack Chemical Company, Inc., as detailed above, being the only qualifying bidder meeting City specifications, for the purchase of Dry Polymer for use at the City’s Pollution Control Plant.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 9 - Accepting Bid for Ferric Chloride, Kemira Water Solutions, Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ferric Chloride for use at the City’s Pollution Control Plant, for the City’s 2014-2015 and 2015-2016 fiscal years’ requirements, and

WHEREAS invitations to bid were issued to eight (8) bidders, with a total of two (2) sealed bids submitted to the City Purchasing Department, and

WHEREAS on Wednesday, May 39, 2014 at 11:00 am in the City’s Purchasing Department, the bid was publically opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bid with Chief Operator Mark Crandall, and it is their recommendation that the City Council accept the bid from Kemira Water Solutions, Inc, as detailed below:

	Kemira Water Solutions, Inc.
--	------------------------------

Chemical	Est. Annual Usage - Lbs.	Option 1		Option 2	
		One Year		Two Years	
		2014-2015		2015-2016	
		Per Unit Price	Ext. Price	Per Unit Price	Ext. Price
Ferric Chloride	240	\$410.56	\$98,534.40	\$410.56	\$197,068.80

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid submitted by Kemira Water Solutions, Inc., as detailed above, as being the lowest qualifying bidder meeting City specifications, for the purchase of Ferric Chloride for use at the City’s Pollution Control Plant.

Secoded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 10 - Approving Agreement for Professional Services for Air Handler and Boiler Replacements, Flower Memorial Library and City Hall, Stantec Consulting Services Inc.

Introduced by Council Member Roxanne M. Burns

WHEREAS the City of wishes to upgrade and improve air handler and boiler replacements at both the Flower Memorial Library and City Hall, and

WHEREAS the City of Watertown has reviewed the proposal submitted and wishes to enter into a Professional Services Agreement with Stantec Consulting Services Inc. for engineering services in connection with engineering design and bidding service,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Professional Services between the City of Watertown and Stantec Consulting Services Inc. for engineering design and bidding services for air handler and boiler replacements at the Flower Memorial Library and City Hall in the amount of \$25,000, a copy of which is attached and made a part of said resolution,

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

Secoded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 11 - Approving a Site Plan for the Construction of a 7,800 Square Foot Accountant’s Office at VL-9 Commerce Park Drive East, Parcel 8-50-101.150

Introduced by Council Member Stephen A. Jennings

WHEREAS Matt Morgia of Aubertine & Currier, on behalf of Bowers & Company CPAs, has submitted an application for site plan approval for the construction of a 7,800 square foot accountant’s office at VL-9 Commerce Park Drive East, parcel 8-50-101.150, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on June 3, 2014, and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall reduce the size of both curb cuts and increase their separation, and chamfer the back corner of the island to avoid plow damage.
- 2) The applicant shall include a City Curb Detail for the curb along the cul-de-sac.
- 3) The applicant shall include a City Asphalt Pavement Detail.
- 4) The applicant shall submit a separate photometric plan.
- 5) The applicant shall configure the roof leaders to minimize the amount of runoff exiting to the north, and depict the roof leaders on the site plan.
- 6) The applicant shall revise the parking lot grading so that all runoff is contained onsite or directed to a storm sewer.
- 7) The applicant shall revise the site grading to reduce the amount of additional cover over the city's sewer lines north of the proposed building.
- 8) The Engineering Report shall be revised to include drainage area maps and the correct site soil map.
- 9) The applicant shall delete "IF NECESSARY" from the note on CG-100 related to the saddle, corp stop, and curb stop for the water service.
- 10) The applicant shall lower Manhole SSMH-7A1 match the proposed grade.
- 11) The applicant shall add three additional large maturing shade trees along the western property line, spaced 40' on center.
- 12) The applicant shall maintain the existing 40' wide tree/brush area on the east side of the site to serve as a screen and buffer between the project and the residential use located to the east.
- 13) The applicant must provide an original survey map of the property, stamped and signed by a NYS licensed land surveyor, and a set of site plans stamped and signed by a NYS registered architect or engineer.
- 14) The applicant shall revise the site plans to show the correct setbacks.

And

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

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

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

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted for the construction of 7,800 square foot office building at VL-9 Commerce Park Drive East, parcel 8-50-101.150, as depicted on the plans submitted to the City Engineer on May 19, 2014, subject to the conditions recommended by the Planning Board and listed above.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 12 - Approving Professional Services Agreement Between the City of Watertown and Ralph Marcellus, LCSW-R, ACSW, CASAC

Introduced by Council Member Stephen A. Jennings

WHEREAS the Federal Highway Administration and/or the Federal Transit Administration requires the City of Watertown to provide substance abuse counseling services for employees who operate City owned vehicles requiring the possession of a commercial driver's license, and

WHEREAS the City Manager is proposing utilizing the services of a credentialed alcoholism and substance abuse counselor to provide the required counseling services, and

WHEREAS the City Manager and staff made inquiries into professionals holding the proper certifications, and it is their recommendation that the Council of the City of Watertown approve the Professional Services Agreement with Ralph K. Marcellus, LCSW-R, ACSW, CASAC to provide this counseling on an as needed basis in the amount of \$80 per one hour counseling session to begin immediately and to expire on December 31, 2015;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Professional Services Agreement between Ralph K. Marcellus and the City of Watertown, a copy of which is attached hereto and made a part of this resolution, and

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

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Macaluso asked if this agreement only refers to drug and alcohol counseling.

Ms. Addison confirmed that the City is federally mandated to provide this type of service for City employees that have a commercial driver's license. She clarified that these employees are drug tested upon hire and whenever there is an accident in addition to random testing. If there is a positive test, she explained that counseling has to be available to the employee.

Council Member Macaluso said that she is confused because if someone is known to have drug problem then she has concern with letting them continue to drive a bus.

Ms. Addison advised that she would take action to minimize an impact like that.

Council Member Jennings commented that if the person does not remain as a City employee, the counseling still has to be available for the time period prior to the final termination.

Council Member Butler referred to the memo asking if every employee driving a bus would participate in this program.

Ms. Addison answered that they only participate in the testing program and not the counseling. She explained that the counseling is only if there is a violation or a positive test result.

Council Member Butler questioned Mr. Marcellus' credentials and how this individual was chosen.

Beth Morris, Confidential Assistant to the City Manager explained that he was recommended to her by other counselors and he has the required certifications for this service. She indicated that a bid process was not needed for this type of service.

Council Member Butler stated that he would prefer to have seen a resume or letter of interest from Mr. Marcellus. He said that an introduction to him would have allowed Council to do their due diligence.

Ms. Addison said that she can provide this additional information and reminded Council that when EAP provided this service, multiple individuals worked for that agency. She noted that it was difficult to find a contractor that would bill on an hourly rate as needed.

After a lengthy discussion of how Mr. Marcellus was chosen and how the services will be used in relation to the federal mandates, Council requested more information prior to considering this resolution.

Motion was made by Council Member Joseph M. Butler, Jr. to table the foregoing resolution. Motion was seconded by Council Member Roxanne M. Burns and carried with all voting in favor thereof except for Council Member Stephen A. Jennings voting nay.

Resolution No. 13 - Approving Agreement for the Provision of Water Services Between the Town of Watertown and City of Watertown

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City owns and operates a water supply system which is operated for the purpose of supplying the City and its inhabitants with water, and

WHEREAS the City has excess capacity to produce and transport water in excess of its own needs, and

WHEREAS the Town of Watertown has requested the right to draw water from the City system for use in Town of Watertown Districts Nos. 1, 3, 4, 5 and 6, and

WHEREAS the City may, pursuant to Section 20 of the General City Law of the State of New York and General Municipal Law Sections 118 and 118(a), have previously entered into an Agreement with the Districts to sell the right to make connections to the City's system for the purpose of drawing water therefrom and the City may fix the prices by ordinance duly adopted by the City Council, therefore, so long as such action will not render the supply of water for the City or its inhabitants insufficient, and

WHEREAS an Agreement that has been in place expired on December 31, 2013, and

WHEREAS the City and the Town of Watertown as Administrators of Town of Watertown Water Districts Nos. 1, 3, 4, 5 and 6 have negotiated a succession Agreement for the Sale of Water, a copy of which is attached hereto and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Agreement Between the City and the Town of Watertown as Administrators of the Town of Watertown Water Districts Nos. 1, 3, 4, 5 and 6, and

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

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Mayor Graham asked if the contract reflects a change in how the water rate is charged.

Ms. Addison confirmed that the district will be charged tier 1 of the City rate which is the same as a City resident.

Attorney Slye explained that one modification was that the rate is the same as what is set in the City Code which from time to time can be amended by an ordinance.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 14 - Establishing Property Tax Rate for Fiscal Year 2014-15

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City Council of the City of Watertown, New York has determined the Budget for 2014-15 for all operating funds for the City of Watertown in the amount of \$51,917,513 of which \$39,721,991 is the General Fund, and of this amount in the General Fund \$8,302,601 is to be raised by taxes on real estate and \$17,160 is to be collected in omitted City taxes,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the tax on real estate in the amount of \$ 8,302,601 is hereby levied and the rate to produce \$ 8,285,441 of this levy is hereby established at \$ 7.976 per \$1,000 of assessed valuation, and the remaining \$17,160 is to be collected in omitted taxes. This resolution shall be effective upon the filing of Local law No. 2 of 2014 with the New York Secretary of the State.

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 15 - Approving 2014-15 Operating Budgets, City of Watertown, New York

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Council of the City of Watertown, New York has met and considered the Proposed Budget for the City of Watertown for Fiscal Year 2014-15 and it has conducted public hearings on the Proposed Budget and has determined that revenues and appropriations for the several

funds in the Budget for 2014-15 will be amended as indicated in the Budget Detail of Changes of Revenues and Appropriations, which detail is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby adopts the Budget for the City Government for Fiscal Year 2014-15 in the total amount of \$51,917,513 of which in the General Fund \$31,419,390 to be raised by estimated revenues other than real property taxes, \$17,160 is estimated to be received from omitted taxes and \$8,285,441 is to be raised by real property tax levy. In adopting the Budget, the City Council hereby appropriates \$51,917,513 for all operating funds, and

BE IT FURTHER RESOLVED that in adopting the Budget, the City Council hereby appropriates \$8,600,972 for all reserve funds, and

BE IT FURTHER RESOLVED that in adopting the Budget, the City Council approves the Budget Detail of Changes in Revenues and Appropriations to the Proposed Budgets, which is attached and made a part of this resolution.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler indicated that he was opposed to the line item listed on page 25 under fringe benefit in the amount of \$5,200. He explained that this amount refers to the City's cost to provide the position of Mayor with health insurance. He said that he believes elected officials should not be entitled to healthcare benefits similar to employees and that this is a complete reversal from 10 years ago when Council passed a resolution prohibiting the funding of health insurance for elected officials. He stressed that his opinion is not meant to be a criticism of the Mayor.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 16 - Approving 2014-15 through 2018-19 Capital Program Budget, City of Watertown, New York

Introduced by Council Member Stephen A. Jennings

WHEREAS the City Council of the City of Watertown, New York has met and considered the Proposed Budget for the City of Watertown for Fiscal Year 2014-15, including the Proposed Capital Program for the years 2014-15 through 2018-19 and has conducted public hearings on the Proposed Capital Program Budget, and has determined that the projects as listed in the Capital Program as amended by the attached detail report, which is made a part of this resolution, shall constitute the Capital Program,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York hereby adopts the Capital Program Budget for the years 2014-15 through 2017-18.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 17 - Approving Franchise Agreement Between the City of Watertown and Top Shelf Hockey, LLC

Introduced by Council Member Teresa R. Macaluso

WHEREAS the City of Watertown owns and operates a facility known as the Watertown Municipal Arena, a community recreational facility, and

WHEREAS the City of Watertown desires to promote recreational activities at the Watertown Municipal Arena for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to enter into a Franchise Agreement with Top Shelf Hockey, LLC, and

WHEREAS Top Shelf Hockey, LLC owns and operates a semi-professional hockey team, as a member and franchise of the Federal Hockey League, and

WHEREAS Top Shelf Hockey, LLC desires to enter into a Franchise Agreement with the City of Watertown to have its team play hockey games within the confines of the Watertown Municipal Arena,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Franchise Agreement between the City and Top Shelf Hockey, LLC, a copy of which is attached hereto and made part of this resolution, and

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

Seconded by Council Member Stephen A. Jennings

Rules waived by Motion of Council Member Teresa R. Macaluso, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

Council Member Butler wished the owners of the new hockey team well.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.

OLD BUSINESS

The “Local Law No. 1 of 2014 – Amending Section 253-17 of the City of Watertown Code of the City of Watertown To Provide for Change in Sewer Service Charge”. *(Introduced on 6/2/2014; public hearing held this evening; appears in its entirety in the 2014 Minutes Book on pages 1 – 3 of the 6/2/2014 adjourned meeting minutes).*

At the call of the chair, a vote was taken on the foregoing local law and carried with all voting yea.

The “Local Law No 2. of 2014 – Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c”. *(Introduced on 6/2/2014; public hearing held this evening; appears in its entirety in the 2014 Minutes Book on pages 3 – 4 of the 6/2/2014 adjourned meeting minutes).*

At the call of the chair, a vote was taken on the foregoing local law and carried with all voting yea.

STAFF REPORTS

Letter of Support for Local Government Efficiency Implementation Grant

A report was available for Council to review.

Bond Refinancing Results

Council Member Butler thanked Comptroller Mills for saving the tax payers \$346,783 over the next 10 years by refinancing these bonds.

North Country Transitional Living Services, Inc. Residence Proposal

Council Member Butler asked if this area was zoned as Residential C.

Ken Mix, Planning Coordinator said that it is zoned for multi-family.

Council asked that a resolution be prepared for the next meeting.

Sidewalk Letter, Central Street

Council Member Macaluso asked if staff had contacted the property owner because that should be the first step.

Mayor Graham mentioned that the memo suggested using CDBG funds for repairing these sidewalks but he said this is a form of a complaint and should be referred to Codes.

Attorney Slye said the alternative is to go to each property owner with a defective sidewalk and require that they fix it for 100% of the cost.

Council Member Burns pointed out that this letter puts the City on notice so Codes should cite the property owners like they would normally do.

Council Member Butler noted that the sidewalk program was on hold this year and the CDBG funds could help subsidize the money needed to repair the sidewalks. He commented that this situation shows why the sidewalk program works and it should be reconsidered for this year. He noted that the use of CDBG money shows preferential treatment to certain areas of the City when other residents have paid to have their sidewalk replaced.

Mayor Graham reiterated that this is a complaint that should be referred to the Code Department and that they should act on it because it is a complaint driven system.

Ms. Addison explained that all of Central Street has horrible sidewalks so this would affect the whole area and not just a single property owner. She further explained that using the CDBG funds offers another option because the area meets CDBG criteria. She said that staff and Council could decide if the repairs would be covered in full by CDBG funds or partially covered.

Council Member Macaluso stated that she is opposed to the whole thing being done by CDBG funds because there are a lot of people that could use help and that the property owners need to contribute.

Again referring to a complaint driven system, Mayor Graham noted that the City has received a complaint so it cannot be ignored.

Attorney Slye stated that this is a notice that could trigger Code Enforcement's complaint driven mechanism which could cause an uproar if Codes went up and down Central Street citing everyone telling them to replace their sidewalks overnight.

Council Member Burns pointed out that this is the first time that Codes has asked for Council's input on what to do with a situation. She said the Codes Office has always been very clear to her that it is a complaint driven process so with that said she is comfortable directing Codes because she was always told that this is not a process that Council should be in the middle of. She understands the dilemma that all the sidewalks on Central Street are in bad shape.

Council Member Butler stressed that the CDBG money should be used for this.

Council Member Macaluso expressed concern that if CDBG money is used then more people will complain and expect the same. Therefore, she said the funds will run out and not be used for what they are really intended for.

Council Member Jennings noted that the City has the right to spend the money how it feels fit and it could be used towards these sidewalks.

Council further debated the use of CDBG funds and requested that staff look into this street's sidewalks to determine how many need repairs and the estimated cost.

Palmer Street Survey Report

Attorney Slye explained the process for the property swap discussed in the memo and how clear title can be obtained for the rest of the property owned by the heirs of the Smith family.

Council agreed to move forward with this.

Property Offer - 111 Orchard Street South (Parcel 10-03-112.000)

Mayor Graham summarized that this is a case of whether to do a private sale to an adjacent owner as opposed to putting it up for public auction.

Council Member Burns recommended putting it up to public auction since Mr. Mills has received multiple offers.

Jim Mills, City Comptroller advised that he does endorse the public auction due to the offers and interest he has received.

Council requested that a resolution authorizing the public auction be prepared for the next meeting.

NEW BUSINESS

Sales Tax Revenue – May 2014

A report was available for Council to review.

Friendly's Ice Cream – Vacant Lot at 120 Haney Street

Mayor Graham asked for an update on the sale of this property.

Attorney Slye explained that when Friendly's filed bankruptcy a stay was placed on everything so this caused a delay. He said that Attorney Burrows was recently contacted by the Redwood Real Estate Group and they are willing to have an all cash purchase within 45 days of Attorney Burrows' June 4th letter.

Mayor Graham said that the City should let the clock run out and hopefully it will close within that time.

Attorney Slye corrected himself stating that the extension was for 45 days for due diligence and then the property will be acquired within 15 days for a total of 60 days from June 4th.

Stateway Plaza and Western Boulevard

Mayor Graham noted that this timeline had expired.

Attorney Slye noted that the next step is to commence litigation and that this will be discussed further in executive session.

138 Court Street

In response to Council Member Butler's inquiry, Attorney Slye stated that this is in litigation.

Mark Jones' Quit Claim Deed Request – Hillcrest Avenue

Referencing the communication received from Attorney Farley on behalf of Mark Jones, Council Member Butler stated that time is of the essence in order for Mr. Jones to close on the sale of his house. He remarked that he is not opposed to moving forward with this and wondered if it could be resolved tonight.

Brian Phelps, City Assessor explained that when the land was auctioned off to Mr. Bendwell in 1938 a deed was not filed. He indicated that the City's assessment records showed the change in ownership to Mr. Bendwell which was later changed to Mr. Jones. He said that Mr. Jones owns and pays taxes on the piece of property but does not have clear title to two of the parcels making up that property since the last filed deed is to the City of Watertown.

Mayor Graham asked how Mr. Bendwell was able to convey title to Mr. Jones.

Mr. Phelps explained that Mr. Bendwell did receive a title because it is not required that the deed be filed with the County Clerk in order to receive title. He noted that he did a fair amount of research along with the City Clerk and the City Comptroller and his recommendation is that it is fairly obvious that somebody besides the City owns the property but the paperwork was never filed so the City should issue a Quit Claim Deed.

Attorney Slye commented that as long as the City does not have a claimed interest in the property, he does not have an objection to providing a Quit Claim Deed so that he can have clear title.

Council agreed to have a resolution prepared for the next meeting.

Kite Day

Council Member Macaluso mentioned that she attended the Kite Day activities and said that the Parks and Recreation Department did a great job.

Mayor Graham agreed and said that he looks forward to another successful event next year.

Retirement of Barbara Wheeler, Library Director

Mayor Graham bid farewell to Barbara Wheeler, Library Director and wished her well in her retirement.

Zoning for Food Processing Plant

Mayor Graham pointed out that Food Processing Plants must be in a Heavy Industry Area and he asked if Mr. Mix and the Planning Board could look into whether Light Industry could encompass a business like this. He wondered if Council would be interested in proceeding with this and possibly eliminating Heavy Industry completely.

Motion was made by Council Member Teresa R. Macaluso to move into Executive Session to discuss employment history of a particular individual and pending, threatened or proposed litigation.

Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

Council moved into Executive Session at 8:31 p.m.

Council reconvened at 9:11 p.m.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 9:11 p.m. by motion of Council Member Roxanne M. Burns, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk