

CITY OF WATERTOWN, NEW YORK

AGENDA

Monday, August 21, 2023

7:00 p.m.

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, August 21, 2023, 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

PUBLIC HEARING

RESOLUTIONS

- | | |
|--------------------|--|
| Resolution No. 1 - | Consenting to the Order of New York State Department of Environmental Conservation Pertaining to the Western Outfall Trunk Sewer |
| Resolution No. 2 - | Approving Change Order No. 1 with EDGE Civil Corporation for the Barben Avenue, Holcomb Street, Bugbee Drive and East Street Water Main Replacement Project |
| Resolution No. 3 - | Approving the Sale of Real Property Known as 219-221 Lynde Street West Parcel Number 2-02-216.000 to Matteson Property Management, LLC |
| Resolution No. 4 - | Approving the Sale of Real Property Known as 256 Pleasant Street North Parcel Number 6-13-213.000 to Rios Renovations, LLC |
| Resolution No. 5 - | Approving Change Order No. 1 with Con Tech Building Systems, Inc. for the William J. Flynn Municipal Swimming Pool Rehabilitation Contract #1 – General Construction |
| Resolution No. 6 - | Accepting Bid for Flower Memorial Library Cornice Repointing Project - Heritage Masonry Restoration |
| Resolution No. 7 - | Approve Change Order No. 9 with Power & Construction Group, Inc. for the Public Square Traffic Signal Optimization and Coordination Project, NYSDOT PIN 7807.20 |

- Resolution No. 8 - Naming Jeffrey E Graham Drive
- Resolution No. 9 – Naming Joseph M. Butler, Jr. Drive
- Resolution No. 10 - Approving Amendment Number 3 to the Agreement with Barton & Loguidice, D.P.C. for the Downtown Revitalization Initiative Streetscape Project
- Resolution No. 11 - Authorizing Granting of American Rescue Plan Act Funds to Hospice of Jefferson County, Inc.

ORDINANCES

- Ordinance No. 1 - Amending Section 293-58 of the City Code, Schedule X: Stop Intersections – Jeffrey E. Graham Drive and Joseph M. Butler, Jr. Drive.

LOCAL LAW

OLD BUSINESS

- Laid Over Under the Rules - Ordinance Authorizing the Issuance of \$3,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Renovation and Reconstruction of City Hall, in and for Said City

STAFF REPORTS

1. Public Hearing for the Community Development Block Grant Program Consolidated Annual Performance and Evaluation Report (CAPER)
2. Sales Tax Revenue – July 2023
3. Sale of Surplus Hydro-electricity – July 2023
4. Thompson Park Golf Course Update
5. Thousand Islands Classic Softball Tournament

NEW BUSINESS

EXECUTIVE SESSION

1. To Discuss Proposed, Pending, or Current Litigation
2. To Discuss the Employment History of Particular Persons or Corporations

WORK SESSION

Next Work Session is scheduled for Monday, September 11, 2023, at 7:00 p.m.

ADJOURNMENT

NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS TUESDAY, SEPTEMBER 5, 2023.

August 15, 2023

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Consenting to the Order of New York State Department of Environmental Conservation Pertaining to the Western Outfall Trunk Sewer

A Notice of Violation dated February 27, 2023 was received from the NYS Department of Environmental Conservation (DEC) as a result of discharging wastewater from a manhole of the Western Outfall Trunk Sewer on Butterfield Avenue into Beaver Meadows wetland in January. This had been the common practice of the Department of Public Works to alleviate the potential for basement flooding in the area during heavy snowmelt and rain events.

The attached Order on Consent was received as a follow-up to the notice. DEC determined there were three violations:

1. The manhole on Butterfield is not a discharge point permitted by the City's State Pollutant Discharge Elimination System (SPDES) permit.
2. Failure to properly report and give notification of an unpermitted discharge of untreated sewage.
3. Discharging wastewater into a wetland without a permit.

Schedule A of the Consent Order contains 5 Required Actions that the City must complete:

1. Pay a Civil Penalty of \$22,700.
2. Submit a schedule for the short-term and long-term items identified in the March 27, 2023 letter.
3. Cease approving any new sanitary connections to the Western Outfall Trunk Sewer basin unless an Offset Plan is developed and implemented, which must account for removal of infiltration/ inflow equal to 3 times the anticipated flow from any new sanitary connections.
4. Submit quarterly reports on actions.
5. Complete the approved work under the schedule submitted pursuant to Required Action 2 by December 31, 2026.

Attached for City Council consideration is a Resolution approving the Order on Consent.

RESOLUTION

Page 1 of 1

Consenting to the Order of New
York State Department of Environmental
Conservation Pertaining to the Western
Outfall Trunk Sewer

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total.....

YEA	NAY

Introduced by _____

WHEREAS the City received a Notice of Violation dated February 27, 2023 from New York State Department of Environmental Conservation (NYSDEC) as a result of discharging wastewater from a manhole of the Western Outfall Trunk Sewer on Butterfield Avenue into Beaver Meadows wetland, and

WHEREAS NYSDEC subsequently prepared and sent an Order on Consent with five (5) actions required of the City, a copy of which is attached and made part of this resolution.

NOW THEREFORE BE IT RESOLVED that the City Council hereby consents to the order of NYSDEC, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Order on Consent on behalf of the City.

Seconded by _____

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

In the Matter of the Violation of Articles 17 and 24 of the
New York State Environmental Conservation Law and Parts
750 and 663 of Title 6 of the Official Compilation of Codes,
Rules and Regulations of the State of New York by:

**ORDER ON CONSENT
Case No. R6-20230502-14**

City of Watertown

Respondent.

WHEREAS:

1. The New York State Department of Environmental Conservation (“DEC”) is responsible for the administration and enforcement of the Environmental Conservation Law (“ECL”) Article 17, which provides DEC with jurisdiction over the issuance of State Pollutant Discharge Elimination System (“SPDES”) permits, and the regulations promulgated thereunder at Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (“6 NYCRR”) Part 750.

2. DEC is also responsible for the administration and enforcement of ECL Article 24, which provides DEC jurisdiction and authority to exercise the State’s sovereign duty to preserve, protect, and conserve freshwater wetlands of the state for the benefit of all inhabitants, and the regulations promulgated thereunder at 6 NYCRR Part 663.

3. The City of Watertown (“Respondent”) is a municipal corporation, as defined in General Municipal Law § 2, with offices located at 245 Washington Street, Watertown, New York 13601.

4. ECL § 17-0105(1) and 6 NYCRR § 750-1.2(a)(66) define “person” as, “any individual, public or private corporation...municipality...or any other legal entity

whatsoever.”

5. ECL § 24-0107(6) and 6 NYCRR § 663.2(w) define “person” as including any State or local government.

6. Respondent is a “person” as defined by ECL § 17-0105(1), 6 NYCRR § 750-1.2(a)(66), ECL § 24-0107(6), and 6 NYCRR § 663.2(w).

7. 6 NYCRR § 750-1.2(a)(65) defines “permittee” as “the holder of a SPDES permit.”

8. Respondent is a “permittee” as defined by 6 NYCRR § 750-1.2(a)(65).

FACTS

9. Respondent owns and operates a publicly owned treatment works (“POTW”) for the treatment of wastewater, that is located at 700 William T. Field Drive, Watertown, New York 13601.

10. Under the authority of Titles 5, 7, and 8 of Article 17 of the ECL, DEC issued SPDES permit number NY 002 5984, DEC ID 6-2218-00024/00002 (the “Permit”), authorizing Respondent to discharge treated effluent through two outfalls to the Black River, a Class C waterbody.

11. The Permit has an effective date of February 1, 2011. Respondent timely applied to renew the Permit on July 27, 2015. On August 5, 2015, DEC suspended its review of the application in anticipation of undertaking a full technical review of the Permit in the future. The Permit has remained in effect pursuant to the State Administrative Procedures Act, and at all times relevant herein.

12. The POTW consists of separate and combined sanitary sewers which collect and convey waste to the treatment plant. The collection system contains several

permitted combined sewer overflow outfalls. Part of the collection system includes the Western Outfall Trunk Sewer (“WOTS”), which serves the western and southeast portions of the City of Watertown as a separate sanitary sewer main. The collection system transports wastewater to the treatment plant, where there is a control building, primary clarifiers, and splitter box which separates the wastewater to two parallel treatment systems that have separate outfalls for the treated effluent.

13. The Permit lists all the permitted outfall locations.

14. The Permit sets effluent limitations, monitoring and reporting requirements, and other conditions to prevent unauthorized releases of pollutants to the waters of the state of New York.

15. The Permit limits for specific discharge parameters can be found in the tables found on Pages 4 through 6 of the Permit.

16. The “Sewage Pollution Right to Know Law,” the regulations for which can be found at 6 NYCRR § 750-2.7, requires public notification using the NY Alert System in the event of a discharge of untreated or partially treated sewage.

17. On January 30, 2023, via email, Respondent advised DEC that during heavy wet weather events, Respondent has pumped excess wastewater from the sewer in the Butterfield Avenue area within the city to alleviate potential residential basement surcharge and associated public health risks.

18. The January 30, 2023 email further advised that Respondent, on average, “historically pumps” excess flows once or twice per year in this location.

19. On February 9, 2023, Respondent reported these pumping activities, and a NY Alert was issued for the discharge of untreated wastewater at 300 Butterfield Avenue,

Watertown, New York, to a drainage swale.

20. The NY Alert issued on February 9, 2023, is the first time Respondent reported these pumping activities.

21. The description of the discharge stated that due to heavy rain and snowmelt, Respondent pumped untreated wastewater from manhole #372 located on Butterfield Avenue to a drainage swale, at a rate of 2,300 gallons per minute, for over 9.5 hours. The NY Alert noted that the potentially impacted public areas were, “unknown – marsh, wetland.”

22. Manhole #372 is located in a portion of the separate sewer system in the WOTS.

23. Respondent discharged approximately 1,311,000 gallons of untreated sewage wastewater on February 9, 2023, to the drainage swale from manhole #372.

24. The drainage swale starts near manhole #372, flows southerly, and terminates in Freshwater Wetland (“FWW”) W-2.

25. On February 27, 2023, DEC issued a Notice of Violation (“NOV”) to Respondent for the unpermitted discharge of untreated wastewater that occurred on February 9, 2023. The NOV requested a written response from Respondent that included a plan to eliminate the unpermitted discharges from manhole #372 within 30 days of the date of the NOV.

26. On March 27, 2023, Respondent proposed short-term and long-term projects to address the unpermitted discharges.

FIRST VIOLATION

27. Respondent violated ECL § 17-0803, 6 NYCRR § 750-1.4(a), and the

Permit by discharging pollutants not in accordance with the Permit.

28. ECL § 17-0803 states, in relevant part:

...[I]t shall be unlawful to discharge pollutants to the waters of the state from any outlet or point source without a SPDES permit issued pursuant hereto or in a manner other than as prescribed by such permit. ...

29. 6 NYCRR § 750-1.4(a) states:

...[N]o person shall discharge or cause a discharge of any pollutant without a SPDES permit having been issued to such person...with respect to such discharge; and no person shall discharge or cause a discharge of any pollutant in a manner other than as prescribed by such permit.

30. ECL § 17-0105(17) and 6 NYCRR § 750-1.2(68) define “pollutant” to include sewage.

31. ECL § 17-0105(4) and 6 NYCRR § 750-1.2(80) define “sewage” as “the water-carried human or animal wastes from residences, buildings...together with such groundwater infiltration and surface water as may be present...”

32. As described in more detail above, Respondent reported discharging approximately 1,311,000 gallons by pumping untreated sewage wastewater from manhole #372 to a drainage swale.

33. Manhole #372 is not part of the combined sewer and is not included in the permitted outfalls under the Permit.

34. Respondent violated ECL § 17-0803, 6 NYCRR § 750-1.4(a), and the Permit by discharging pollutants, specifically sewage, in a manner other than as prescribed by the Permit.

SECOND VIOLATION

35. Respondent violated 6 NYCRR § 750-2.7(b)(2) by failing to comply with the

reporting and notification requirements pertaining to discharges of untreated sewage.

36. 6 NYCRR § 750-2.7(b)(2) details requirements for POTW for the reporting and notification of discharges of partially treated or untreated sewage.

37. Respondent admitted that it “historically” pumped from manhole #372 on Butterfield Avenue on average once or twice per year.

38. A review of DEC records reflect that a NY Alert was only issued for the unpermitted discharge that occurred on February 9, 2023.

39. Any unpermitted discharges that occurred prior to February 9, 2023, were not reported via NY Alert.

40. Therefore, based on Respondent’s admission, it has committed at least two violations of 6 NYCRR § 750-2.7(b)(2), by failing to properly report and give notification of the unpermitted discharges of untreated sewage.

THIRD VIOLATION

41. Respondents violated ECL § 24-0701 and 6 NYCRR Part 663.4(a) and (d) by conducting non-exempt activities within a regulated freshwater wetland and its 100-foot regulated adjacent area without a permit or letter of permission by the DEC, specifically running a sewer outfall and discharging sewage effluent or other liquid wastes so as to drain into a freshwater wetland.

42. ECL § 24-0701 states:

1. After issuance of the official freshwater wetlands map of the state, or of any selected section or region thereof, any person desiring to conduct on freshwater wetlands as so designated thereon any of the regulated activities set forth in subdivision two of this section must obtain a permit as provided in this title.
2. Activities subject to regulation shall include any form of draining, dredging, excavation, removal of soil, mud, sand, shells, gravel or

other aggregate from any freshwater wetland, either directly or indirectly; and any form of dumping, filling, or depositing of any soil, stones, sand, gravel, mud, rubbish or fill of any kind, either directly or indirectly; erecting any structures, roads, the driving of pilings, or placing of any other obstructions whether or not changing the ebb and flow of the water; any form of pollution, including but not limited to, installing a septic tank, running a sewer outfall, discharging sewage treatment effluent or other liquid wastes into or so as to drain into a freshwater wetland; and any other activity which substantially impairs any of the several functions served by freshwater wetlands or the benefits derived therefrom which are set forth in section 24-0105 of this article. These activities are subject to regulation whether or not they occur upon the wetland itself, if they impinge upon or otherwise substantially affect the wetlands and are located no more than one hundred feet from the boundary of such wetland. ...

43. 6 NYCRR Part 663.4(a) and (d) state:

(a) All persons proposing to conduct, on wetlands or adjacent areas, activities which have not been specifically exempted under section 24-0701 of the act, in the statewide minimum land use regulations or under section 663.3, 663.4(d) or 663.7 of this Part, must obtain either a permit or a letter of permission.

...

(d) Activities chart. Guidelines and procedural requirements for various activities are given in this subdivision. This chart is included to assist applications and permit application reviewers in determining regulatory requirements under the act and this Part. To further assist applications, the relative compatibility with wetlands and their adjacent areas, of the various activities, as determined in the statewide minimum land use regulations contained in section 665.7(g) of this Title, are included in parentheses whenever a permit requirement is indicated.

PROCEDURAL REQUIREMENTS FOR VARIOUS ACTIVITIES

The statewide minimum land use regulations contained in section 665.7(g) of this Title establish the compatibility categories to be used in conjunction with the different types of land use activities to be conducted upon freshwater wetlands or adjacent areas. This chart states the procedural requirements to be followed in implementing those minimum land use regulations. For activities and land uses not shown on this chart, the department must first make a determination that the activity is a regulated activity as defined in the act and section 663.2 of this Part. If the activity is regulated, then an independent determination of compatibility using the three tests for compatibility contained in the standards for permit issuance in section 663.5(e) of this Part must be used.

Area Categories:	Levels of Procedural Requirements:
FWW - Freshwater wetland	E - Exempt; no permit or letter of permission required
AA - Adjacent area	L - Letter of permission required
	P - Permit required

Levels of Compatibility:

C – Usually compatible means that a regulated activity may be compatible with a Wetland and its functions and benefits, although in some circumstances the proposed action may be incompatible.

N – Usually incompatible means that a regulated activity is usually incompatible with a wetland and its functions or benefits, although in some cases the proposed action may be insignificant enough to be compatible.

X – Incompatible means that a regulated activity is incompatible with a wetland and its functions and benefits.

...

<i>Items</i>	<i>Activities</i>	<i>FWW</i>	<i>AA</i>
38.	<i>Introducing or storing any substance, including...sewage effluent or other pollutant</i>	P(X)	P(X)

44. DEC staff observed that the southerly end of the drainage swale is located in FWW W-2.

45. DEC staff calculated that the drainage swale has a holding capacity of approximately 14,000 gallons, before liquid would spill out into FWW W-2.

46. According to the NY Alert issued by Respondent, it discharged untreated sewage wastewater at approximately 2,300 gallons per minute, for 9.5 hours, or approximately 1,311,000 gallons discharged to the drainage swale.

47. A discharge rate of 2,300 gallons per minute would result in the drainage swale being filled to its capacity of 14,000 gallons in approximately 6 minutes.

48. Respondent actively pumped sewage wastewater from manhole #372 for 9.5 hours, or 570 minutes.

49. The NY Alert issued by Respondent noted that the affected area by the

discharge was a wetland.

50. Respondent did not have a DEC permit to conduct the above-described regulated activity in FWW W-2 or its regulated adjacent area.

51. Respondent violated ECL § 24-0701 and 6 NYCRR Part 663.4(a) and (d)(38) by running a sewer outfall and introducing or draining sewage effluent or liquid wastes into FWW W-2.

PENALTY PROVISIONS

52. ECL § 71-1929(1) states:

A person who violates any of the provisions of, or who fails to perform any duty imposed by titles 1 through 11 inclusive and title 19 of article 17, or the rules, regulations, orders of determinations of the commissioner promulgated thereto or the terms of any permit issued thereunder, shall be liable to a penalty of not to exceed thirty-seven thousand five hundred dollars per day for each violation, and, in addition thereto, such person may be enjoined from continuing such violation as hereinafter provided. ...

53. ECL § 71-2303(1) states:

Administrative sanctions. Any person who violates, disobeys or disregards any provision of article twenty-four, including title five and section 24-0507 thereof or any rule or regulation, local law or ordinance, permit or order issued pursuant thereto, shall be liable to the people of the state for a civil penalty of not to exceed eleven thousand dollars for every such violation...In addition, the commissioner or local government shall have power...to direct the violator to cease his violation of the act and to restore the affected freshwater wetland to its condition prior to the violation...

54. In settlement of Respondent's liability for the above violations, Respondent admits to the violations herein, waives the right to a hearing herein as provided by law, consents to the issuance of, and agrees to be bound by its provisions, terms, and conditions of this Consent Order.

NOW, having considered this matter and being duly advised, **IT IS ORDERED THAT:**

I. COMPLIANCE

Respondent shall fully comply with the provisions of the Schedule A attached to and made a part of this Order. The failure of Respondent to comply with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and shall be deemed to be a violation of both this Order and the ECL. Respondent's failure to comply fully and in a timely fashion with any provision, term, or condition of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL and shall constitute sufficient grounds for revocation of any permit, license, certification, or approval issued to the Respondent by the Department.

II. PENALTY

- a. Assessed Penalty. Upon the Effective Date of this Order, Respondent shall become obligated to pay a civil penalty of **Twenty-Two Thousand Seven Hundred Dollars (\$22,700.00)**. Respondent shall sign and notarize this Consent Order and return it to the New York State Department of Environmental Conservation, Region 6, 317 Washington Street, Watertown, NY 13601, attention Office of General Counsel. The civil penalty shall be paid within thirty (30) days of the Department's execution of this Order, by electronic payment at <http://www.dec.ny.gov/about/61016.html#On-Line> or by check made payable to the order of: "New York State Department of Environmental Conservation" with the enclosed invoice and the Case Number of this Order on Consent written in the memo section of the check. The check shall be mailed to: Department of Environmental Conservation, Division of Management and Budget Services, 625 Broadway, 10th Floor, Albany, NY 12233-4900. This Order shall be in full settlement of all claims for civil and administrative penalties that have been or could be asserted by the Department against Respondent, their trustees, officers, employees, successors and assigns for the violations expressly noted in this Order.
- B. Default of Payment. The penalty assessed in the Order on Consent constitutes a debt owed to the State of New York. Failure to pay the assessed penalty, or any part thereof, in accordance with the schedule contained in the Order on Consent, may result in referral to the New York State Attorney General for collection of the entire amount owed, including the assessment of interest and a charge to cover the cost of collecting the debt, or referral to the New York State Department of Taxation and Finance, which may offset by the penalty amount any tax refund or other monies that may be owed to you by the State of New York. Any suspended and/or stipulated penalty provided for in this Order on Consent will constitute a debt owed to the State of New York when and if such penalty becomes due.

III. COMPLIANCE WITH OTHER LAWS

Respondent's compliance with this Consent Order is not a defense to any action

commenced pursuant to any laws, regulations, or permits, except as set forth herein. The Department does not, by its consent to the issuance of this Consent Order, warrant or aver in any manner that Respondent's compliance with any aspect of this Consent Order will result in compliance with provisions of any federal, state, or local laws, regulations, or permits.

IV. ORDER NOT A PERMIT

This Order on Consent is not a permit, or a modification of any permit, under any federal, state, or local laws or regulations. Unless otherwise allowed by statute or regulation, Respondent is responsible for achieving and maintaining complete compliance with all applicable federal, state, and local laws, regulations, and permits. Respondent's compliance with this Order on Consent shall be no defense to any action commenced pursuant to any laws, regulations, or permits, except as set forth herein.

V. COMMUNICATIONS

Except as otherwise specified in this Order, any reports, submissions, and notices herein required shall be made to Rachel Bernat, New York State Department of Environmental Conservation, Region 6, 317 Washington Street, Watertown, New York 13606.

VI. DURATION

This Order shall take effect when it is signed by the Regional Director, as the authorized representative of the Commissioner of Environmental Conservation and shall terminate when Respondent has fully complied with the requirements of this Order.

VII. ACCESS

For the purpose of monitoring or determining compliance with this Order, employees and agents of the Department shall be provided access to any facility, site, or records owned, operated, controlled or maintained by Respondent, in order to inspect and/or perform such tests as the Department may deem appropriate, to copy such records, or to perform any other lawful duty or responsibility, during reasonable hours.

VIII. FORCE MAJEURE

If Respondent cannot comply with a deadline or requirement of this Order because of a natural disaster, epidemic or pandemic, war, terrorist attack, strike, riot, judicial injunction, or other similar unforeseeable event which was not caused by the negligence or willful misconduct of Respondent and which could not have been avoided by the Respondent through the exercise of due care, Respondent shall apply in writing to the Department within a reasonable time after obtaining knowledge of such fact and request an extension or modification of the deadline or requirement.

Respondent shall include in such application the measures taken by Respondent to prevent and/or minimize any delays. Failure to give such notice constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to a claim of noncompliance with this Order pursuant to this subparagraph.

IX. INDEMNITY

Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages, and costs resulting from the acts and/or omissions of Respondent, intentional, negligent, or otherwise, of every nature and description, arising out of or resulting from the compliance or attempted compliance with the provisions of this Order by Respondent or their employees, servants, agents, successors or assigns.

X. MODIFICATION

No change in this Order shall be made or become effective except as specifically set forth in writing by the Department. All modification requests must be submitted in writing to the Commissioner or the Commissioner's designee as set forth in this Order and must include the case number and the Respondent's name. Respondent shall have the burden of proving entitlement to any modification requested pursuant to this Standard Provision or the "Force Majeure" provision, *supra*. Respondent's request for modification shall not be unreasonably denied by the Department, which may impose such additional conditions upon Respondent as the Department deems appropriate.

XI. RESERVATION

Nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting (1) any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against anyone other than Respondent; (2) any right of the Department to enforce administratively or at law or in equity, the terms, provisions, and conditions of this Order; (3) any right of the Department to bring any future action or proceeding against Respondent, either administrative or judicial, for any other violations of the ECL, the rules and regulations promulgated thereunder, or conditions contained in orders or permits, if any, issued by the Department to Respondent; (4) any right of the Department to bring any future action or proceeding against Respondent, either administrative or judicial, for liabilities, duties or obligations established under any common law authority or any other state or federal statute or regulation; or, (5) the summary abatement powers of the Department, either at common law or as granted pursuant to statute or regulation.

This Order shall not be construed as being in settlement of events regarding which the Department lacks knowledge, or which occur after the effective date of this Order.

The Department reserves the right to seek recovery of Natural Resources Damages, if applicable.

The Department reserves the right to: (1) require that Respondent undertake any additional measures required to protect human health or the environment; (2) exercise

its authority under the law to protect human health and the environment, or otherwise require compliance with the law.

XII. APPROVAL

The Department has the right of approval or disapproval of any plans, reports, diagrams, applications, schedules, or other submissions made pursuant to this Order. Such plans shall be approvable when submitted. Approvable means the submissions are complete, accurate, prepared in accordance with applicable professional standards, and either reflect compliance with or when implemented will result in compliance with the terms of the Order, the Environmental Conservation Law, and the regulations and standards promulgated pursuant thereto.

XIII. ENTIRE AGREEMENT

The provisions of this Order constitute the complete and entire Order issued to the Respondent, concerning resolution of the violations identified in this Order. Terms, conditions, understandings, or agreements purporting to modify or vary any term hereof shall not be binding unless made in writing and subscribed by the party to be bound, pursuant to Paragraph X of this Order. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by the Respondent shall be construed as relieving the Respondent of his/her obligations to obtain such formal approvals as may be required by this Order.

XIV. BINDING EFFECT

The provisions, terms, and conditions of this Order shall be deemed to bind the Respondent and Respondent's heirs, legal representatives, receivers, trustees in bankruptcy, successors, assigns, employees, and all persons, firms, and corporations acting under them.

Dated: Watertown, New York

_____, 2023

BASIL SEGGOS, COMMISSIONER
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

By: _____
Randall C. Young
Regional Director
Region 6

CONSENT BY RESPONDENT
R6-20230502-14

Respondent, the City of Watertown, hereby consents to the issuance of the foregoing order without further notice, waives the right to a hearing herein, and agrees to be bound by the terms, provisions, and conditions contained herein.

City of Watertown

By [Signature]: _____

Name [Print]: _____

Title: _____

Date: _____

Email: _____

ACKNOWLEDGEMENT

STATE OF _____)
) ss.:
COUNTY OF _____)

On the _____ day of _____, in the year 2023, before me, the undersigned, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Respondent: City of Watertown

No. R6-20230502-14

SCHEDULE A

The above-referenced Respondent shall, on or before the dates indicated:

REQUIRED ACTION	DUE DATE
1. Pay the Civil Penalty of Twenty-Two Thousand Seven Hundred Dollars (\$22,700.00) <u>after</u> DEC sends Respondent a fully executed copy of the Consent Order, along with an <u>invoice</u> for payment.	Within thirty (30) days of receipt of the fully executed Consent Order from the DEC and an invoice for payment to the DEC.
2. Submit a schedule for the short-term and long-term action items identified in Respondent's letter dated March 27, 2023, and attached hereto as Exhibit 1 . The schedule should provide an appended summary of investigations to date, as well as anticipated infiltration and inflow ("I/I") removal as a result of the future work. Once approved by DEC, the schedule shall become enforceable under this Order.	Within sixty (60) days of the Effective Date of this Order.
3. Respondent shall cease approving any new sanitary connections to the collection system in the WOTS basin, unless Respondent develops and implements an Offset Plan. Said plan shall be subject to DEC approval and must account for the removal of I/I flow in WOTS basin equal to three times (3x) the anticipated flow of any new sanitary connection(s).	Approval of new connections to the WOTS basin prohibited on the Effective Date of this Order. If applicable, proposed Offset Plan within ninety (90) days of the Effective Date of this Order.
4. Respondent shall submit quarterly reports detailing all investigative, design, and remedial actions that have occurred during the prior quarter, including schedule items approved per Required Action 2.	First report within thirty (30) days of the Effective Date of this Order. Thereafter, due one month subsequent to the calendar quarter.
5. Complete and implement the approved work under the Schedule submitted pursuant to Required Action 2.	On or before December 31, 2026.

Angel French
Chief Operator

NYS ELAP
Certified Lab
Lab ID# 10166

**William T. Field Memorial
Pollution Control Plant
700 William T. Field Drive
Watertown, New York 13601**
Phone: (315) 785-7840
Fax: (315) 779-2095
Email: afrench@watertown-ny.gov

Richard Artz
O & M Supervisor

Jay Slate
Lab Technician

March 27, 2023

Sent via Email ONLY: rachel.bernat@dec.ny.gov

Rachel Bernat
Division of Water Region 6
Dulles State Office Building
317 Washington St
Watertown, NY 13601

**RE: Notice of Violation
Watertown Water Pollution Control Plant
SPDES #NY0025984
Watertown (C), Jefferson County**

Dear Rachel Bernat,

The following is the response of permittee NY0025984 to your Notice of Violation dated February 27, 2023. Over the course of 30 years, the City of Watertown has undertaken several Capital Projects to address capacity issues and I&I with the goal to reduce and or eliminate bypass events at CSO 001 and surcharge events throughout the drainage basin.

Below is a listing of projects undertaken:

1990-1995 Western Outfall Trunk Sewer (WOTS) Re-alignment; As part of the Bellew Avenue South and Waterman Drive construction projects, the WOTS was realigned from its original to run along Bellew Ave South to Arsenal Street. Concurrent with the WOTS work, a parallel storm sewer was installed to further separate flows.

2002-2003 A 36" storm sewer was installed as part of the Bellew Avenue reconstruction project, extending from Arsenal Street to an outfall structure along the Black River. Completion of this project removed a significant quantity of storm flows from Bellew Avenue, Waterman Drive as well as City Center Industrial Park. The existing WOTS pipeline on Bellew Avenue was also tested and sealed to eliminate infiltration during this project.

2008; A project was undertaken to upsize a section of WOTS pipe from 18" to 24" from Butterfield Avenue to Barben Avenue. This section of main had previously been identified as being undersized. In addition, a section of pipe in the intersection of Holcomb and Chestnut streets were reconfigured to eliminate flow restrictions being experienced due to the zig zag alignment of pipes within the intersection.

2011; A cured in place liner was installed in the existing 36" WOTS pipe extending from Wealtha Avenue to the Pollution Control Facility, removing a significant quantity of inflow from the system and reducing bypass events at CSO 001.

2013: Engineering report from GYMO was undertaken to further examine the system capacity and identify solutions for increasing capacity and reduce I&I.

2020: An expanded WOTS Evaluation was undertaken which is the basis for projects underway and planned in the near future.

Short Term

- The City of Watertown Department of Public Works (DPW) employees have been directed not to pump out of any sewer (sanitary sewer or combined sewer) into the environment.
- A \$196,550 contract has been awarded to National Watermain for the refurbishment of 63 manholes in the Spring of 2023.
- The city will be bidding out the investigation and elimination of 58 cross connected storm sewer inlets that were identified in the Inflow study of 2021.
- A backflow preventor program will be proposed to the city for the affected houses in the Butterfield Ave area to minimize impacts due to cessation of bypass pumping.

Long Term

- City of Watertown sent a letter to the Town of Watertown on March 3, 2023, requesting a schedule to eliminate sources of infiltration and inflow to the collection system. Recent flow monitoring results show a significant amount of inflow entering the WOTS during wet weather events.
- \$3,200,000 has been submitted in the proposed budget to reduce infiltration and inflow. These projects were recommended as a result of the 2nd phase of the Western Outfall Trunk Sewer Evaluation which included smoke testing to further pinpoint sources of I&I.
 - The proposed items budgeted.
 - Additional field investigations
 - Stormwater extension rehabilitation (3,250LF)
 - Cured-in-place pipe lining rehabilitation.
 - Sanitary Sewer 6,450LF
 - Storm Sewer 5,580LF
 - Coating of 80 structures
 - Watertight 12 manhole frame and covers.
 - City directed backflow preventors on approximately 36 properties.
 - 4 terminal manhole structures

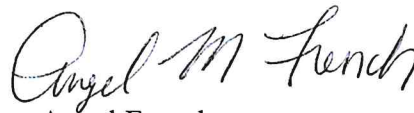
Attached:

Letter to Town of Watertown Dated: March 3, 2023.

Draft Phase 2 Inflow Study Western Outfall Trunk Sewer Evaluation Dated: 18 November 2021

Western Outfall Trunk Sewer Evaluation Preliminary Engineering Report Dated: October 2020

Western Outfall Trunk Sewer Inflow and Infiltration (I&I) Study Dated: 24 March 2016



Angel French
Chief Operator
City of Watertown PCF

ec: Vicky Murphy, Water Superintendent – City of Watertown, vmurphy@watertown-ny.gov
Patrick Keenan, Superintendent of Public Works – City of Watertown, pwkeenan@watertown-ny.gov
Kenneth Mix, City Manager – City of Watertown, kmix@watertown-ny.gov
Michael Delaney, City Engineer – City of Watertown, mdelaney@watertown-ny.gov
Jeffery Smith, Mayor – City of Watertown, jsmith@watertown-ny.gov

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Change Order No. 1 with EDGE Civil Corporation for the Barben Avenue, Holcomb Street, Bugbee Drive and East Street Water Main Replacement Project

At the April 17, 2023 meeting, City Council awarded the contract for the Barben Avenue, Holcomb Street, Bugbee Drive, and East Street Water Main Replacement Project to EDGE Civil Corporation in the amount of \$1,597,319.00.

EDGE Civil Corporation has now submitted Change Order No. 1 in the amount of \$141,550.00 for additional work, bringing the final construction cost to \$1,738,869.00. This change order is for paving Bugbee Drive from curb to curb instead of just where the new water main was installed. This paving on this street is in poor condition because of the many water main breaks and drainage issues that have occurred. The paving will be paid for with CHIP funds.

A resolution approving this change order has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Approving Change Order No. 1 with
EDGE Civil Corporation for the Barben
Avenue, Holcomb Street, Bugbee Drive and
East Street Water Main Replacement Project

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by

WHEREAS at its April 17, 2023, meeting, the City Council approved a bid from EDGE Civil Corporation in the amount of \$1,597,319.00 for the Barben Avenue, Holcomb Street, Bugbee Drive and East Street Water Main Replacement Project, and

WHEREAS Bugbee Drive has had many water main breaks and drainage issues on the road for many years, resulting in the asphalt being in poor condition, and

WHEREAS it was determined that instead of paving only where the new water main was installed on Bugbee Drive, the entire section would be paved curb to curb, and

WHEREAS EDGE Civil Corporation has now submitted Change Order No. 1 in the amount of \$141,550.00 for the increased paving,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 with EDGE Civil Corporation in the amount of \$141,550.00, a copy of which is attached and made part of this Resolution, bringing the total contract amount to \$1,738,869.00, and

BE IT FURTHER RESOLVED that City Manager Kenneth A. Mix is hereby authorized and directed to execute Change Order No. 1 on behalf of the City of Watertown.

Seconded by



Edge Civil Corporation
 2723A County Route 26
 Parish, NY 13131
 Phone (315) 420-6551 Fax (315) 303-1615

Submitted To:
 City Of Watertown

Project: Barben Holcomb, Bugbee and East Street

Change Request

DATE 17-Aug-23
Change Order # BHBE CO 1
Project # 2021-039

Due By 01-Sep-23
Prepared by: Ed Banach

Contact Name Kevin Bamann

Work Performed	AMOUNT
Bugbee Street Paving	
Sawcut Driveways and Intersections	
Remove Existing Asphalt Pavement (+/- 12500 SF)	
Shim To crown Roadway to 2%	
Fine Grade Roadway	
Adjust Structures in Road	
Additional Roadway Layout	
Lump Sum \$97,850.00	
Add For Complete Box out and Installation of 12" NYDOT Type 2 Stone	
Lump Sum \$43,700.00	
Total \$141,550.00	
Total Change	\$ -

Any Questions Please Call Ed Banach 315 420 6551

Change Order

No. 1

Date of Issuance: 08/02/2023

Effective Date: 08/21/2023

Project: Barben Avenue, Holcomb Street, Barben Avenue and East Street Water Main Replacement Project

Owner:

Owner's Contract No.:

Contract:

Date of Contract:

Contractor: EDGE Civil Corporation

Engineer's Project No.:

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

Description: Due to many Water Main breaks, drainage issues, and condition of the asphalt that have occurred on Bugbee Drive, it has been decided that paving on Bugbee Drive will be from Curb to Curb, Instead of just where the new Water Main has been installed.

Attachments: (List documents supporting change): Quote from EGDE Civil Corporation,

Email from GYMO Engineering and Architecture

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 1,597,319.00

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

\$ 0.00

Contract Price prior to this Change Order:

\$ 1,597,319.00

[Increase] [Decrease] of this Change Order:

\$ 141,550.00

Contract Price incorporating this Change Order:

\$ 1,738,869.00

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☐ Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

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

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

RECOMMENDED:

By: _____
Engineer (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable): _____

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: _____
Contractor (Authorized Signature)

Date: _____

Date: _____

Res No. 3

August 15, 2023

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning & Community Development Director

Subject: Approving the Sale of Real Property Known as 219-221 Lynde Street West, Parcel Number 2-02-216.000 to Matteson Property Management, LLC.

The City of Watertown is the owner of the property located 219-221 Lynde Street West, Parcel Number 2-02-216.000. At the direction of the City Council, the city published a Request for Proposal (RFP) as the method of selling this home that was acquired through tax foreclosure.

Under the RFP process there was a rating system developed that takes into consideration the buyer's rehab experience, the amount proposed to be invested, the proposed tenancy (rental or owner-occupied), and the proposed purchase price. Staff ranked the proposals based on these criteria in order to determine the most qualified buyer.

The RFP was issued in June and proposals were received in July. Staff recently completed its review of the proposals and is forwarding recommendations for two of the three houses. The city did not receive any proposals for the house located at 531 Bradley St.

For the house at 219-221 Lynde Street West, the City received four proposals. After review of the proposals, Staff is recommending that this property be sold to Matteson Property Management, LLC for the proposed purchase price of \$6,724.39. This is the amount the City was owed in back taxes, penalties, and interest for this property at the time of foreclosure.

Micah Matteson of Matteson Property Management, LLC plans to invest \$92,400 in the property to completely rehabilitate it. According to his proposal, improvements will include a new roof, new siding, front porch repairs, new exterior doors, remodeling of the kitchens and bathrooms, new flooring, interior paint, heat and electric upgrades and plumbing repairs. The property will remain a two-family home.

A resolution authorizing the sale of 219-221 Lynde Street West, Parcel Number 2-02-216.000 to Matteson Property Management, LLC for the purchase price of \$6,724.39 has been prepared and is attached for City Council consideration.

RESOLUTION

Page 1 of 2

Approving the Sale of Real Property
Known as 219-221 Lynde Street West
Parcel Number 2-02-216.000 to
Matteson Property Management, LLC

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by _____

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 219-221 Lynde Street West, also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 2-02-216.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Matteson Property Management, LLC, and

WHEREAS Micah Matteson of Matteson Property Management, LLC has offered to purchase this parcel for \$6,724.39 and invest additional funding in the property to rehabilitate the home including improvements such as a new roof, siding replacement, front porch repairs, new exterior doors, remodeling of the kitchens and bathrooms, new flooring, interior paint, heat and

RESOLUTION

Page 2 of 2

Approving the Sale of Real Property
Known as 219-221 Lynde Street West
Parcel Number 2-02-216.000 to
Matteson Property Management, LLC

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

electric upgrades and plumbing repairs, and

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

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$6,724.39 submitted by Matteson Property Management, LLC, for the purchase of Parcel Number 2-02-216.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the Mayor, Jeffrey M. Smith be, and he hereby is authorized, empowered, and directed to execute and deliver a Quit Claim Deed of said real property to Matteson Property Management, LLC, upon receipt of the above-mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

Seconded by _____

Res No. 4

August 15, 2023

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning & Community Development Director

Subject: Approving the Sale of Real Property Known as 256 Pleasant Street North, Parcel Number 6-13-213.000 to Rios Renovations, LLC.

The City of Watertown is the owner of the property located 256 Pleasant Street North, Parcel Number 6-13-213.000. At the direction of the City Council, the city published a Request for Proposal (RFP) as the method of selling this home that was acquired through tax foreclosure.

Under the RFP process there was a rating system developed that takes into consideration the buyer's rehab experience, the amount proposed to be invested, the proposed tenancy (rental or owner-occupied), and the proposed purchase price. Staff ranked the proposals based on these criteria in order to determine the most qualified buyer.

The RFP was issued in June and proposals were received in July. Staff recently completed its review of the proposals and is forwarding recommendations for two of the three houses. The city did not receive any proposals for the house located at 531 Bradley St.

For the house at 256 Pleasant Street North, the City received one proposal. After review of the proposal, Staff is recommending that this property be sold to Rios Renovations, LLC for the proposed purchase price of \$4,714.07. This is the amount the City was owed in back taxes, penalties, and interest for this property at the time of foreclosure.

Edgar Rios of Rios Renovations, LLC plans to invest \$56,700 in the property to completely rehabilitate it. According to his proposal, improvements will include a new roof, new siding, new floors, remodeling of the kitchen and bathrooms, new electrical, a new HVAC system and upgraded interior finishes. The property will remain a single-family home.

A resolution authorizing the sale of 256 Pleasant Street North, Parcel Number 6-13-213.000 to Rios Renovations, LLC for the purchase price of \$4,714.07 has been prepared and is attached for City Council consideration.

RESOLUTION

Page 1 of 2

Approving the Sale of Real Property
Known as 256 Pleasant Street North
Parcel Number 6-13-213.000 to
Rios Renovations, LLC

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by _____

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 256 Pleasant Street North, also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel Number 6-13-213.000, and

WHEREAS title to said lands have since been retained by the City of Watertown as acquired at said tax sale, which titles were retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real properties have never been assigned by the Council for a public use, and

WHEREAS the City Council deems the property to be excess and not required for any City purpose, and

WHEREAS the City developed a Request for Proposal (RFP) through its Vacant Homes Redevelopment Initiative for the rehabilitation of this property, and

WHEREAS the evaluation of proposals submitted through this RFP process included the consideration of the experience of the developer/contractor, the proposed work scope and investment, the proposed purchase price, the proposed tenancy, the financial capacity of the developer/contractor and the proposed rehabilitation timeline, and

WHEREAS after review of the proposals submitted for this property, Staff is recommending that this property be sold to Rios Renovations, LLC, and

WHEREAS Edgar Rios of Rios Renovations, LLC has offered to purchase this parcel for \$4,714.07 and invest additional funding in the property to rehabilitate the home including improvements such as a new roof, new siding, new floors, remodeling of the kitchen and bathrooms, new electrical, a new HVAC system and upgraded interior finishes, and

RESOLUTION

Page 2 of 2

Approving the Sale of Real Property
Known as 256 Pleasant Street North
Parcel Number 6-13-213.000 to
Rios Renovations, LLC

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

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

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$4,714.07 submitted by Rios Renovations, LLC, for the purchase of Parcel Number 6-13-213.000, for the purposes of a housing rehabilitation project as described above is a fair and reasonable offer therefore and the same is hereby accepted, and

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

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that the property sold must be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed.

Seconded by _____

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Change Order No. 1 with Con Tech Building Systems, Inc. for the William J. Flynn Municipal Swimming Pool Rehabilitation Contract #1 - General Construction

At the June 05, 2023 meeting, City Council approved the bid for the William J. Flynn Municipal Swimming Pool Rehabilitation Contract #1 – General Construction from Con Tech Building Systems, Inc. in the amount of \$2,695,000.00.

Con Tech Building Systems, Inc. has submitted Change Order No. 1 in the amount of \$57,746.10, bringing the final construction cost to \$2,752,746.10. This change order will remove approximately 95 cubic yards of very hard, sound granite-like bedrock that was discovered in the new pool's deep end. This bedrock must be removed to continue construction. There is a \$59,806 contingency built into the project budget.

The Change Order also extends the contract by two weeks, with the new substantial completion date being May 15, 2024, to allow for the extra work.

A resolution approving this change order has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Approving Change Order No. 1 with
Con Tech Building Systems, Inc. for the
William J. Flynn Municipal Swimming
Pool Rehabilitation Contract #1 –
General Construction

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by

WHEREAS at its June 05, 2023, meeting, the City Council approved a bid from Con Tech Building Systems, Inc. in the amount of \$2,695,000.00 for the William J. Flynn Municipal Swimming Pool Rehabilitation Contract #1 – General Construction, and

WHEREAS it has become necessary to remove approximately 95 cubic yards of very hard, sound granite-like bedrock that has been discovered in the new pool's deep end, which must be removed to continue construction, and

WHEREAS Con Tech Building Systems, Inc. has submitted Change Order No. 1 in the amount of \$57,746.10 for removal of the rock,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 with Con Tech Building Systems, Inc. in the amount of \$57,746.10, a copy of which is attached and made part of this Resolution, bringing the total contract amount to \$2,752,746.10, and

BE IT FURTHER RESOLVED that City Manager Kenneth A. Mix is hereby authorized and directed to execute Change Order No. 1 on behalf of the City of Watertown.

Seconded by

Change Order

No. 1

Date of Issuance: 08/10/2023

Effective Date: 08/21/2023

Project: William J. Flynn Municipal Swimming Pool
Rehabilitation - Contract #1 General Construction

Owner:

Owner's Contract No.:

Contract:

Date of Contract:

Contractor: Con Tech Building Systems, Inc.

Engineer's Project No.:

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

Description: During construction, what appeared to be very hard, sound granite bedrock was exposed. It has been determined that roughly 95 cubic yards of bedrock needs to be removed to continue construction.

Attachments: (List documents supporting change): Change Request Proposal

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 2,695,000.00

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

\$ 0.00

Contract Price prior to this Change Order:

\$ 2,695,000.00

[Increase] [Decrease] of this Change Order:

\$ 57,746.10

Contract Price incorporating this Change Order:

\$ 2,752,746.10

CHANGE IN CONTRACT TIMES:

Original Contract Times: ☐ Working days ☒ Calendar days

Substantial completion (days or date): 5/1/24

Ready for final payment (days or date): _____

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

Substantial completion (days): _____

Ready for final payment (days): _____

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): _____

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): 5/15/24

Ready for final payment (days or date): _____

Contract Times with all approved Change Orders:

Substantial completion (days or date): 5/15/24

Ready for final payment (days or date): _____

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: 8/10/23
C&S COMPANIES

Approved by Funding Agency (if applicable):

Meredith Quiffin
08/10/2023

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: [Signature] Nick Reddick
Contractor (Authorized Signature) Con Tech Building
Systems, Inc.

Date: 8/11/2023

Date: _____

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

Change Request Proposal

Project:
(name and address) 23-042 / William F. Flynn Muni. Pool
833 Woobury St.
Watertown, NY 13601

Change request number: 1004
Description: Rock Removal - Hammer

Customer: City of Watertown

Notice to Proceed

Submitted date:
Received date:
Rough order of magnitude: 0.00

Status: Proposed
Origination date: 08/08/23

Quotation

Submitted date: 08/08/23
Due date:
Submitted amount: 57,746.10
Requested days delay: 0

Notes

Contractor shall furnish and install all labor and equipment associated with rock hammering bedrock at Flynn Pool Deep End, Main Drain Piping, and Surge Tank locations. This area of bedrock discovery is at the deep end of the pool (appx. 30' x 14' x 4'), at the trench pipe from main drains to surge tank (appx. 50' x 2' x 4') and at surge tank location (appx. 10' x 10' x 5'). With this field information, we are anticipating roughly 95 cy of bed rock needs to be removed. It is anticipated that this Rock Hammering activity will take upwards of 4 weeks time (maximum), but depending on the hardness of the bedrock, this activity could be expedited.

The discovery of bedrock will cause a delay in the project schedule, and it is agreed that the schedule will be updated accordingly to reflect this change.

Revenue Detail

Billing Item	Description	Revenue
		57,746.10
Total Revenue:		57,746.10

Contractor Pricing

Phase Code / Description	Cost Type	Quantity	UM	Amount
01-3110 Project Management Project Management - 8 Hours	REG Regular Pay	1.00		800.00
01-3120 Field Supervision Supervision - 24 Hours	REG Regular Pay	1.00		1,782.00
31-2300 Excavation/Backfill Operator & Laborer - 160 Hours	REG Regular Pay	1.00		26,432.00
31-0400 Heavy Equipment Rental SK260 w/ 8,500# Hammer - 1 Month Rental	LEQ Large Equipment	1.00		21,200.00
Contractor Pricing Total:				50,214.00
Total:				50,214.00
Mark-up:				7,532.10
Total Contractor Price for CR 1004				57,746.10

Approvals

Customer: City of Watertown

Authorized Representative:

By:

Date:

08/11/2023

Contractor: Con Tech Building Systems, Inc

By:

Date:

08/11/2023

Res No. 6

August 14, 2023

TO: The Honorable Mayor and City Council

FROM: Tina Bartlett-Bearup, Purchasing Manager

SUBJECT: Bid #2023-26 Flower Memorial Library Cornice Repointing Project
Letter of Recommendation

The City's Purchasing Department advertised in the Watertown Daily Times for sealed bids from qualified bidders for the Flower Memorial Library Cornice Repointing Project, per City specifications and publicly opened and read the sealed bids on August 10, 2023, at 2:00 p.m. EST. Invitation to bids were provided to seven (7) plan houses and ten (10) potential vendors.

The Purchasing Department received three (3) sealed bid submittal and the bid tabulation are shown below:

Heritage Masonry Restoration	Charles T. Driscoll Masonry Restoration	Raymond E. Kelley, Inc.
Syracuse, NY 13206	Skaneateles Falls, NY 13153	Waterloo, NY 13165
\$72,428.00	\$78,241.00	\$79,800.00

The Purchasing Manager and Engineering Department reviewed the responses to ensure compliance with the specifications and hereby recommend that City Council award the total base bid for the Flower Memorial Library Cornice Repointing Project to Heritage Masonry Restoration as the lowest responsive responsible bidder at a total bid price of **\$72,428.00**.

The Flower Memorial Library Cornice Repointing Project, as adopted in the Fiscal Year 2023-24 Capital Budget, will be funded using funds from the American Rescue Plan Act of 2021.

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

RESOLUTION

Page 1 of 1

Accepting Bid for Flower Memorial Library
Cornice Repointing Project -
Heritage Masonry Restoration

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by _____

WHEREAS the City desires to repair and restore the cornice that runs the full length around the original Library Building to include raking and repointing from the bottom of the cornice to the top of the coping at the roof line as pieces have fallen above the front entryway to the Library, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Flower Memorial Library Cornice Repointing Project, and


WHEREAS on August 10, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Heritage Masonry Restoration,



NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Heritage Masonry Restoration in the amount of \$72,428.00, and

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

Seconded by _____

	CITY OF WATERTOWN, NEW YORK				
	CITY HALL				
	245 WASHINGTON STREET				
	WATERTOWN, NEW YORK 13601-3380				
	Project:		FLOWER MEMORIAL LIBRARY CORNICE REPOINTING PROJECT		
	Bid / RFP Number:		Bid #2023-26		
	Opening Date:		Thursday August 10, 2023 @ 2:00 PM		
The following results are bids as presented at the bid opening and do not represent an award.					
Vendor Name, Address and Point of Contact	Heritage Masonry Restoration	Charles T. Driscoll Masonry Restoration	Raymond E. Kelley, Inc.		
	Syracuse, NY 13206	Skaneateles Falls, NY 13153	Waterloo, NY 13165		
Total Base Bid	\$72,428.00	\$78,241.00	\$79,800.00		

FISCAL YEAR 2023-2024
CAPITAL BUDGET
FACILITY IMPROVEMENTS
LIBRARY

PROJECT DESCRIPTION	COST
<p>Cornice Repointing</p> <p>The perimeter Cornice that runs full length (approximately 255 feet) around the Original Library Building requires raking and repointing from the bottom of the Cornice to the top of the Coping at the Roof Line. Pieces of the cornice fallen above the front entryway to the Library. The Library will not be able to open the front door until the cornice project is completed.</p>   <p>Funding to support this project will be from the American Rescue Plan Act of 2021.</p>	<p>\$55,000</p>
TOTAL	\$55,000

August 16, 2023

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Change Order No. 9 with Power & Construction Group, Inc. for the Public Square Traffic Signal Optimization and Coordination Project, NYSDOT PIN: 7807.20

The City entered into an Agreement with the NYSDOT for the Public Square Traffic Signal Optimization and Coordination Project. The project improves signal timing and traffic signal coordination in the area around and through Public Square, improves travel speeds and pedestrian safety and reduces idling and pollutants that are emitted during travel.

The limits of the project include all Public Square, Arsenal Street from Massey Street to Public Square, Washington Street from Academy Street to Public Square, State Street from High Street to Public Square and Mill Street from Main Street to Public Square.

City accepted the bid of Power & Construction Group, Inc. in the amount of \$416,287.17 for installation of equipment for the Project. The current Contract amount is \$486,881.12.

This Change Order in the amount of \$2,740.30 is for balancing the increase and decrease of Unit Price Items to close out the Contract. With the addition of this Change Order the new Contract total will be \$489,621.42.

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

RESOLUTION

Page 1 of 1

Approving Change Order No. 9 with
Power & Construction Group, Inc. for the
Public Square Traffic Signal Optimization and
Coordination Project, NYSDOT PIN 7807.20

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by _____

WHEREAS the City desires to reduce traffic congestion through the Public Square corridor, and

WHEREAS on June 21, 2021, City accepted the bid of Power & Construction Group, Inc. in the amount of \$416,287.17 for installation of equipment for the Traffic Signal Optimization and Coordination project, and

WHEREAS the City entered into Agreement with Fisher Associates for the construction inspection and management of the Project, and

WHEREAS the current Contract amount is \$486,881.12, and

WHEREAS Power & Construction has completed construction, and

WHEREAS to balance out the increase and decrease in various construction items, there is an overall increase in the Contract price of \$2,740.30.

WHEREAS the City is financing this project using Federal and State Aid.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts Change Order No. 9 from Power & Construction Group, Inc. in the amount of \$2,740.30, for a Contract total of \$489,621.42, and

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

Seconded by _____



Power & Construction Group, 96 River Road, Scottsville, N.Y.
14546

Change Order Details

PIN 7807.20 Watertown Public Square

Description

Prime Contractor	Power & Construction Group 96 River Road Scottsville, NY 14546
Change Order	9
Status	Pending
Date Created	07/27/2023
Summary	Balancing Change Order for Final Payment
Change Order Description	Balancing Change Order for Final Payment
Awarded Project Amount	\$416,287.17
Authorized Project Amount	\$486,881.12
Change Order Amount	\$2,740.30
Revised Project Amount	\$489,621.42

Increases/Decreases

Line Number	Item ID	Unit	Unit Price	Current		Change		Revised	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
Section: 1 - Description									
0040	637.11	MNTH	\$2,810.000	6.000	\$16,860.00	4.500	\$12,645.00	10.500	\$29,505.00
ENGINEER'S FIELD OFFICE - TYPE 1									
Reason: Balancing Change Order									
0050	637.34	DC	\$1.000	100.000	\$100.00	-100.000	-\$100.00	0.000	\$0.00
OFFICE TECHNOLOGY AND SUPPLIES									
Reason: Balancing Change Order									
0070	662.60010004	DC	\$685.000	9.000	\$6,165.00	-7.000	-\$4,795.00	2.000	\$1,370.00
FURNISHING ELECTRICAL SERVICE									
Reason: Balancing Change Order									
0090	680.700604	EACH	\$860.000	9.000	\$7,740.00	-5.000	-\$4,300.00	4.000	\$3,440.00
RISER ASSEMBLY, 1 1/2" DIAMETER									
Reason: Balancing Change Order									
0100	680.730714	LF	\$5.200	1,060.000	\$5,512.00	114.000	\$592.80	1,174.000	\$6,104.80
SIGNAL CABLE 7 CONDUCTORS, 14 AWG									

Line Number	Item ID	Unit	Unit Price	Current		Change		Revised	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
Reason: Balancing Change Order									
0300	680.93500101	EACH	\$2,985.000	11.000	\$32,835.00	1.000	\$2,985.00	12.000	\$35,820.00
SPREAD SPECTRUM WIRELESS TRAFFIC CONTROL									
Reason: Balancing Change Order									
0310	680.93500201	EACH	\$1,750.000	11.000	\$19,250.00	1.000	\$1,750.00	12.000	\$21,000.00
DIRECTIONAL YAGI ANTENNA FOR SPREAD SPECTRUM WIRELESSTRAFFIC CONTROL									
Reason: Balancing Change Order									
0340	680.95010615	LF	\$16.250	225.000	\$3,656.25	490.000	\$7,962.50	715.000	\$11,618.75
SERVICE CABLE 1 CONDUCTOR, NO. 06 AWG									
Reason: Balancing Change Order									
0350	680.95600004	EACH	\$2,100.000	9.000	\$18,900.00	-2.000	-\$4,200.00	7.000	\$14,700.00
ELECTRICAL METER PAN									
Reason: Balancing Change Order									
0360	697.03	DC	\$1.000	9,600.000	\$9,600.00	-9,600.000	-\$9,600.00	0.000	\$0.00
FIELD CHANGE PAYMENT (FCP)									
Reason: Balancing Change Order									

Line Number	Item ID	Unit	Unit Price	Current		Change		Revised	
				Quantity	Amount	Quantity	Amount	Quantity	Amount
0370	698.05	DC	\$1.000	100.000	\$100.00	-100.000	-\$100.00	0.000	\$0.00
FUEL PRICE ADJUSTMENT									
Reason: Balancing Change Order									
0380	698.06	DC	\$1.000	100.000	\$100.00	-100.000	-\$100.00	0.000	\$0.00
STEEL/IRON PRICE ADJUSTMENT									
Reason: Balancing Change Order									
12 items			Totals	\$120,818.25		\$2,740.30		\$123,558.55	



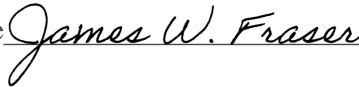
8/1/2023

Program Manager



07/27/2023

Contractor



07/27/2023

Engineer In Charge

Owner

Res No. 8 & 9

August 16, 2023

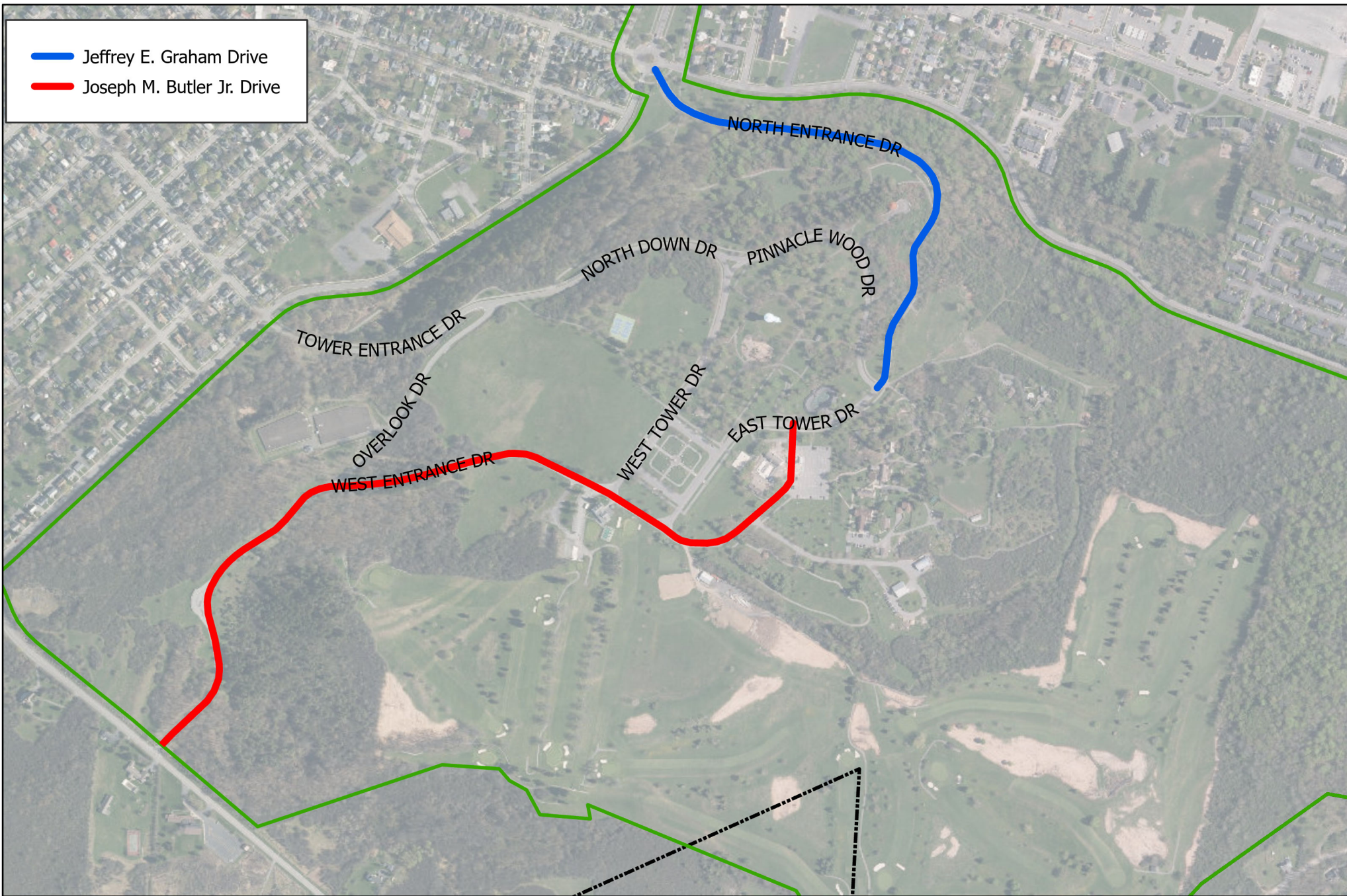
To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Naming Jeffrey E. Graham and Joseph M. Butler, Jr. Drives

Mayor Smith requested the attached resolutions that rename drives within John C. Thompson Park after former Mayors Jeffrey E. Graham and Joseph M. Butler, Jr. A map showing the locations is attached.

- Jeffrey E. Graham Drive
- Joseph M. Butler Jr. Drive



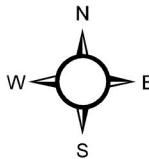


CITY OF WATERTOWN GIS
 245 WASHINGTON STREET
 2ND FLOOR
 WATERTOWN, NEW YORK 13601
 (315) 785-7793
gis@watertown-ny.gov

Thompson Park

Street Renaming

The City of Watertown does not warrant, guarantee or accept any liability for the accuracy, precision or completeness of any information shown or described hereon or for any inferences made therefrom. Any use made from this information is solely at the risk of the user.



Street Renaming	
Requested By:	K. Mix
Author:	mowen
Date:	8/16/2023
Scale:	1 in= 600 ft

RESOLUTION

Page 1 of 1

Naming Jeffrey E. Graham Drive

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total.....

YEA	NAY

Introduced by _____

WHEREAS the City Council named the 2,490-foot length of drive within John C. Thompson Park between Park Circle and Pinnacle Wood Drive “North Entrance Drive” on December 15, 2008, and

WHEREAS the City Council wishes to honor former Mayor Jeffery E. Graham by renaming this drive after him,

NOW THEREFORE BE IT RESOLVED that the City Council hereby changes the name of “North Entrance Drive” to “Jeffrey E. Graham Drive.”

Seconded by _____

RESOLUTION

Page 1 of 1

Naming Joseph M. Butler, Jr. Drive

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total.....

YEA	NAY

Introduced by _____

WHEREAS the City Council named the 4,335-foot length of drive within John C. Thompson Park between Gotham Street and East Tower Drive “Gotham Street Entrance Drive” on December 15, 2008, and

WHEREAS the City Council wishes to honor former Mayor Joseph M. Butler, Jr. by renaming this drive after him,

NOW THEREFORE BE IT RESOLVED that the City Council hereby changes the name of “Gotham Street Entrance Drive” to “Joseph M. Butler, Jr. Drive.”

Seconded by _____

Res No. 10

August 16, 2023

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Approving Amendment Number 3 to the Agreement with Barton & Loguidice,
D.P.C. for the Downtown Revitalization Initiative Streetscape Project

The attached resolution was prepared at the request of Council Member Ruggiero. It is identical to the resolution introduced on July 17, 2023 and defeated on August 7, 2023. The original cover memo is also attached.

July 11, 2023

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Approving Amendment Number 3 to the Agreement with Barton & Loguidice, D.P.C. for the Downtown Revitalization Initiative Streetscape Project

At its June 19, 2023 meeting, the City Council directed Planning and Engineering Staff to explore opportunities to mitigate the loss of three public parking spaces on the west side of Washington Street, immediately south of the intersection with Stone Street, that were planned to be eliminated as part of the Downtown Revitalization Initiative (DRI) Streetscape Project.

Staff worked with Barton & Loguidice, D.P.C., the lead engineering firm on the project, and presented two potential alternatives at the July 3, 2023 City Council meeting.

On July 6, 2023, the City Council made the decision to remove the previously poured curb line and proceed with redesigning the corner to reestablish two ADA-accessible angled parking spaces on Washington Street. This will necessitate new construction drawings, stamped by a licensed Professional Engineer.

Barton & Loguidice has an agreement with the City for professional services for the design of the project that the City Council approved on March 15, 2021. The two parties have mutually amended this agreement twice; once in June 2022 to add Construction Inspection to the Scope of Services and once in October 2022 to cover cost overruns from the initial design.

Barton & Loguidice has prepared the attached Amendment Number 3 to the agreement to cover the engineering costs that B&L will incur as part of preparing the revised stamped construction drawings. The total compensation for the additional services will be \$4,060.

The attached resolution approves Amendment 3 to the contract for an additional amount not to exceed \$4,060 and authorizes the City Manager to execute it on behalf of the City.

RESOLUTION

Page 1 of 1

Approving Amendment Number 3 to the Agreement with Barton & Loguidice, D.P.C. For the Downtown Revitalization Initiative Streetscape Project

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown has undertaken a Downtown Revitalization Initiative (DRI) Streetscape Project, and

WHEREAS Barton and Loguidice served as the City's lead design consultant during the design phase of the project and prepared the Bid Book as well as all construction documents on behalf of the City, and

WHEREAS the project has been under construction since July 2022, and the City's contractor has undertaken construction activities related to reconstructing the intersection of Washington and Stone Streets, and

WHEREAS on July 6, 2023, the City Council made the decision to remove some of the elements of this corner that had been installed thus far and reconfigure the corner to mitigate the lost parking, thereby necessitating a redesign, including Stamped Construction drawings for the requested reconfiguration, and

WHEREAS Barton & Loguidice has developed an amendment to the Professional Services Agreement dated July 11, 2023 between the City of Watertown and Barton & Loguidice to add Engineering services to create new stamped construction drawings for the requested reconfiguration to the scope of services for the additional amount of \$4,060.

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves Amendment Number 3 to the contract with Barton & Loguidice, D.P.C., a copy of which is attached and made part of this resolution, for an additional amount not to exceed \$4,060, and,

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute Amendment Number 3 on behalf of the City.

Seconded by

AMENDMENT NUMBER 3 ("Amendment")
TO THE
AGREEMENT DATED MARCH 22, 2021 ("Agreement")
BETWEEN
CITY OF WATERTOWN ("Owner")
AND
BARTON & LOGUIDICE, D.P.C. ("Consultant")
FOR
PROFESSIONAL SERVICES FOR STREETSCAPE DESIGN
IMPROVEMENTS ("Project")

The above referenced Agreement between Owner and Consultant is amended to include the changes set forth below. The Agreement referenced above, including any amendments or revisions thereto previously agreed to in writing between Owner and Consultant, remains in full force and effect except as modified herein.

1. Change in Scope of Services to be Performed

- A. The scope of services to be performed by Consultant is hereby modified as described in Attachment One.

2. Change in Compensation for Services

- A. Total compensation for the services described in Attachment One, including reimbursable expenses, is estimated to be (Four Thousand Sixty Dollars (\$4,060), which shall be in addition to any payment amount(s) previously agreed to in writing between Owner and Consultant for this Project.
- B. Owner's method of payment to Consultant shall be as set forth in the Agreement referenced above.

3. Total Agreement

- A. This Amendment, along with the original Agreement and any other duly executed amendments previous to this Amendment, constitutes the entire agreement between Owner and Consultant for this Project; it supersedes all prior written or oral understandings and may only be amended, supplemented, modified, or canceled by a duly executed written instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the above referenced Agreement as of the latest day and year set forth below.

OWNER: City of Watertown

CONSULTANT: Barton & Loguidice, D.P.C.

By: _____ By: _____

Kenneth A. Mix

Matthew J. Schooley

Title: City Manager Title: _____

Executive Vice President

Date

Date

Signed: _____

Signed: _____

July 11, 2023

NOTE: Address for Giving Notices:

Barton & Loguidice, Attn: President, 443 Electronics Parkway, Liverpool, NY 13088

Attachment One - Scope of Services for Amendment Number 3 Streetscape Design Improvements

SUPPLEMENTAL SCOPE OF SERVICES

WASHINGTON STREET PARKING REVISIONS


Watertown Streetscape Design Improvements
NYS DOS #C1001300

July 2023

Watertown Streetscape Design Improvements

SOW Construction Support/Administration: Key Bank Parking Design (per property owner's request and City's approval)

The CA/CI Consultant prepared conceptual design and estimates for the removal of the constructed raised concrete planters and proposed curblin to accommodate two handicap parking spaces while maintaining ADA access to the Governor Flower monument. These revised designs were at the request of the property owner and approval of the City. The Consultant will prepare field change sheets and material quantities to be issued for construction.

<div>Exhibit A</div> <div>Washington Street Parking Revisions (Key Bank)</div>								
	TITLE	MANAGER IV	PROFESSIONAL VI	PROFESSIONAL IV	TECHNICIAN ASSISTANT II	LABOR	MILES	TELEP
						TOTAL	(MILES)	REPRO
SCOPE OF SERVICE	EMPL RATE	MCB \$220	ASK \$170	BRS \$138	JJB \$90			
A. Design								
design of curb ramp			2			\$340		
asphalt profiling			2			\$340		
drainage design			1			\$170		
revised general plan sheet			3			\$510		
revised striping sheet						\$0		
develop quantities/estimates			2			\$340		
contractor coordination for field changes			1			\$170		
client coordination, meetings, QA/QC, PE Stamp		3	9			\$2,190		
						\$0		
						\$0		
						\$0		
						\$0		
						\$0		
HOURS TOTAL		3	20	0	0			
DOLLARS/HOUR		\$220	\$170	\$138	\$90			
SUB-TOTAL		\$660	\$3,400	\$0	\$0	\$4,060	\$0	\$0
LABOR TOTAL		\$4,060						
SUBCONSULTANTS								
MILEAGE, TELEPHONE, REPRO								
FEE ESTIMATE		\$4,060						
PROPOSAL FEE (Fee Ceiling)		\$4,100						

Res No. 11

August 16, 2023

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Authorizing Granting of American Rescue Plan Act Funds to Hospice of Jefferson County, Inc.

Council Member Ruggiero requested the attached resolution that grants Hospice of Jefferson County, Inc. \$225,000 from American Rescue Plan Act Funds.

RESOLUTION

Page 1 of 1

Authorizing Granting of American Rescue
Plan Act Funds to Hospice of Jefferson
County, Inc.

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total.....

YEA	NAY

Introduced by _____

WHEREAS the American Rescue Plan Act (ARPA) established the Coronavirus Local Fiscal Recovery Fund (CLFRF), and

WHEREAS the City of Watertown was allocated \$22,265,728 from CLFRF, which may be spent on eligible uses identified in ARPA and the rules promulgated by the U. S. Department of the Treasury, and

WHEREAS the City Council wishes to grant \$225,000 to Hospice of Jefferson County, Inc. from the CLFRF,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes granting up to \$225,000 of the City's allotted CLFRF funds to Hospice of Jefferson County for ventilation improvements, and

BE IT FURTHER RESOLVED that the City Manager is authorized and directed to enter into an agreement with Hospice of Jefferson County that defines the allowed uses of the funds, explains how and when the funds will be disbursed, and states the documentation required before disbursement, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2023-24 and makes the following adjustment in the re-adopted General Fund Budget:

GENERAL FUND

A.0000.4089

Federal Aid, Other

\$ 225,000

Total Expenditures

A.4989.0430

Other Health – Contracted Services

\$ 225,000

Seconded by _____

Ordinance No. 1

August 16, 2023

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, City Manager

Subject: Amending Section 293-58 of the City Code, Schedule X: Stop
Intersections – Jeffrey E. Graham Drive and Joseph M. Butler, Jr. Drive

With the renaming of the drives in Thompson Park, the Chapter of the City Code that regulates traffic signs needs to be updated. This Ordinance adds the new names and deletes the old.

ORDINANCE

Page 1 of 2

Amending to Section 293-58 of the
City Code, Schedule X: Stop
Intersections - Jeffrey E. Graham Drive
And Joseph M. Butler, Jr. Drive

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by

BE IT ORDAINED by the City Council of the City of Watertown that the
Municipal Code, Section 293-58, Schedule X: Stop Intersections is hereby amended by adding to
the location of stop signs therein contained the following:

Stop Sign on	Direction of Travel	At Intersection of
Jeffrey E. Graham Drive	North	Park Circle
Joseph M. Butler, Jr. Drive	West	Gotham Street
Joseph M. Butler, Jr. Drive	East	East Tower Drive

, and

BE IT FURTHER ORDAINED by the City Council of the City of Watertown that
the Municipal Code, Section 293-58, Schedule X: Stop Intersections is hereby amended by
deleting from the location of stop signs therein contained the following:

Stop Sign on	Direction of Travel	At Intersection of
Thompson Park	North	Academy Circle
Thompson Park	South	Gotham Street

, and

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

ORDINANCE

Page 2 of 2

Amending to Section 293-58 of the
City Code, Schedule X: Stop
Intersections - Jeffrey E. Graham Drive
And Joseph M. Butler, Jr. Drive

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Seconded by

Ord No. 1 Laid Over Under The Rules

August 16, 2023

To: The Honorable Mayor and City Council


From: James E. Mills, City Comptroller

Subject: Bond Ordinance – City Hall Renovation

This ordinance was introduced and laid over under the rules on August 7, 2023.

Included in the Fiscal Year 2023-24 Capital Budget was the renovation of City Hall which is to include mechanical, electrical and plumbing upgrades, a new air handling unit, roof replacement, elevator replacement and exterior improvements to the one-story section of the building. The estimated cost of the project is \$3,100,000.

**FISCAL YEAR 2023-2024
CAPITAL BUDGET
FACILITY IMPROVEMENTS
MUNICIPAL BUILDING**

PROJECT DESCRIPTION	COST
<p>City Hall Renovation</p> <p>Mechanical, electrical, and plumbing upgrades will be made to City Hall, including a new air handling unit. Exterior improvements will be made to the one-story section of the building. The upper roof and elevator will be replaced.</p>  <p>Funding to support this project will be from a 10-year serial bond with Fiscal Year 2024-25 debt service of \$434,000.</p>	<p>\$3,100,000</p>
TOTAL	\$3,100,000

ORDINANCE

Page 1 of 8

An Ordinance Authorizing the Issuance of \$3,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Renovation and Reconstruction of City Hall, in and for Said City

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Introduced by Council Member Lisa A. Ruggiero

At a regular meeting of the Council of the City of Watertown, Jefferson County, New York, held at the Municipal Building in Watertown, New York, on August 7, 2023, at 7:00 o'clock P.M., Eastern Time.

The meeting was called to order by Mayor Jeffrey M. Smith, and upon roll being called, the following were

PRESENT: Council Member Patrick J. Hickey, Council Member Sarah V.C. Pierce, Council Member Lisa A. Ruggiero and Mayor Jeffrey M. Smith

ABSENT: Council Member Clifford G. Olney III

The following ordinance was offered by Council Member Lisa A. Ruggiero, who moved its adoption, seconded by Council Member Sarah V.C. Pierce, to wit:

BOND ORDINANCE DATED AUGUST 7, 2023.

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$3,100,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE RENOVATION AND RECONSTRUCTION OF CITY HALL, IN AND FOR SAID CITY.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York (the "City"), as follows:

Section 1. For paying the costs of the renovation and reconstruction of City Hall,

ORDINANCE

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An Ordinance Authorizing the Issuance of \$3,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Renovation and Reconstruction of City Hall, in and for Said City

Council Member HICKEY, Patrick J.

Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

including but not limited to mechanical, electrical and plumbing upgrades, exterior improvements, and replacement of the roof and elevator, and incidental expenses in connection therewith, a class of objects or purposes, there are hereby authorized to be issued \$3,100,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$3,100,000 and that the plan for the financing thereof is by the issuance of the \$3,100,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty-five years pursuant to subdivision twelve of paragraph a of Section 11.00 of the Local Finance Law, as City Hall is a class "A" building within the meaning of subdivision eleven of said paragraph a.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise

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Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

such bonds for sale, conduct the sale, and award the bonds in such manner as the City Comptroller shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the City Comptroller shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at the sole discretion of the City Comptroller, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this ordinance is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Council.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile

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An Ordinance Authorizing the Issuance of \$3,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Renovation and Reconstruction of City Hall, in and for Said City

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Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

signature of its City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times, the official newspaper of the City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Unanimous consent could not be obtained due to the absence of a Council Member.

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Council Member OLNEY III, Clifford G.

Council Member PIERCE, Sarah V.C.

Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Therefore, the foregoing ordinance was laid over under the rules.

At a regular meeting of the Council of the City of Watertown, Jefferson County, New York, held at the Municipal Building in Watertown, New York, on August 21, 2023, at 7:00 o'clock P.M., Eastern Time.

The meeting was called to order by Mayor Jeffrey M. Smith, and upon roll being called, the following were

PRESENT: Council Member Patrick J. Hickey, Council Member Sarah V.C. Pierce, Council Member Lisa A. Ruggiero, Council Member Clifford G. Olney III and Mayor Jeffrey M. Smith

ABSENT:

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

Council Member Patrick J. Hickey	VOTING _____
Council Member Clifford G. Olney III	VOTING _____
Council Member Sarah V.C. Pierce	VOTING _____
Council Member Lisa A. Ruggiero	VOTING _____
Mayor Jeffrey M. Smith	VOTING _____

The ordinance was thereupon declared duly adopted.

* * * * *

APPROVED BY THE MAYOR

Mayor

August ___, 2023.

ORDINANCE

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An Ordinance Authorizing the Issuance of \$3,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs of the Renovation and Reconstruction of City Hall, in and for Said City

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Council Member RUGGIERO, Lisa A.

Mayor SMITH, Jeffrey M.

Total

YEA	NAY

Regular meeting of the City Council held in accordance with Section 14-1 of the
Municipal Code

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City
on August 21, 2023.

City Clerk

(CORPORATE SEAL)

Seconded by Council Member Sarah V.C. Pierce

August 15, 2023

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Recommending the setting of a Public Hearing for the Community Development Block Grant Program Consolidated Annual Performance and Evaluation Report (CAPER)

As part of the City's Community Development Block Grant (CDBG) Program, the City Council is required to hold at least two public hearings annually to obtain public input and comments on our program. The first public hearing, typically held in March, is conducted as we prepare to write our Annual Action Plan.

A second public hearing must be held in September, after the conclusion of our program year on June 30, to allow the public to comment on the City's annual performance. The September public hearing coincides with the submission of the City's Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD). Federal regulations require that the City submit the CAPER within 90 days of the close of the program year, which is September 28. A draft of the CAPER has to be available for public review at least fifteen days prior to the scheduled public hearing. Staff plans to complete a draft of the CAPER by September 1, 2023.

In order to meet the public hearing requirement and comply with the time frames noted above, I am requesting that the City Council schedule a public hearing to hear public comments on the City's Community Development Block Grant Consolidated Annual Performance and Evaluation Report at **7:15 p.m. on Monday, September 18, 2023.**

August 14, 2023

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Sales Tax Revenue – July 2023

Sales tax revenue was up \$318,234 or 15.64% compared to last July. In comparison to the original budget projection for the month, sales tax was up \$297,881 or 14.49%.

	<u>Actual 2020-21</u>	<u>Actual 2021-22</u>	<u>Actual 2022-23</u>	<u>Actual 2023-24</u>	<u>Variance</u>	<u>Monthly % Inc/(Dec)to Prior Year</u>	<u>Quarterly % Inc/(Dec)to Prior Year</u>
July	\$ 1,493,210	\$ 1,948,809	\$ 2,035,333	\$ 2,353,567	\$ 318,234	15.64%	
August	\$ 1,515,827	\$ 1,888,806	\$ 2,008,482				
September	\$ 2,783,423	\$ 2,725,797	\$ 2,757,376				
October	\$ 1,488,167	\$ 1,678,723	\$ 1,847,562				
November	\$ 1,331,668	\$ 1,643,509	\$ 1,818,188				
December	\$ 2,493,688	\$ 2,374,453	\$ 2,232,223				
January	\$ 1,290,702	\$ 1,649,030	\$ 1,849,036				
February	\$ 1,181,566	\$ 1,429,187	\$ 1,643,774				
March	\$ 2,284,533	\$ 2,253,672	\$ 2,041,305				
April	\$ 1,566,858	\$ 2,064,386	\$ 1,888,370				
May	\$ 1,626,958	\$ 2,023,137	\$ 1,835,982				
June	<u>\$ 3,144,514</u>	<u>\$ 1,949,070</u>	<u>\$ 2,566,086</u>				
YTD	<u>\$ 22,201,114</u>	<u>\$23,628,579</u>	<u>\$ 24,614,716</u>	<u>\$ 2,353,567</u>	<u>\$ 318,234</u>	<u>15.64%</u>	
			<u>Original Budget 2023-24</u>	<u>Actual 2023-24</u>	<u>Variance</u>	<u>%</u>	<u>%</u>
July			\$ 2,055,686	\$ 2,353,567	\$ 297,881	14.49%	
August			\$ 2,028,566				
September			\$ 2,784,949				
October			\$ 1,866,037				
November			\$ 1,836,370				
December			\$ 2,346,455				
January			\$ 1,867,527				
February			\$ 1,660,211				
March			\$ 2,061,718				
April			\$ 2,147,581				
May			\$ 2,104,669				
June			<u>\$ 2,025,231</u>				
YTD			<u>\$ 24,785,000</u>	<u>\$ 2,353,567</u>	<u>\$ 297,881</u>	<u>14.49%</u>	

August 14, 2023

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Sale of Surplus Hydro-electricity – July 2023

The City has received the monthly hydro-electricity production and consumption data from National Grid. In comparison to last July, the sale of surplus hydro-electric power on an actual-to-actual basis was up \$215,448 or 130.23%. In comparison to the budget projection for the month, revenue was up \$77,166 or 25.61%.

	<u>Actual</u> <u>2020-21</u>	<u>Actual</u> <u>2021-22</u>	<u>Actual</u> <u>2022-23</u>	<u>Actual</u> <u>2023-24</u>	<u>Variance</u>	<u>%</u> <u>Inc/(Dec)to</u> <u>Prior Year</u>
July	\$ 1,937	\$ 673,456	\$ 165,435	\$ 380,883	\$ 215,448	130.23%
August	\$ 1,819	\$ 612,155	\$ 157,460			
September	\$ 1,164	\$ 307,692	\$ 442,559			
October	\$ 117,331	\$ 523,734	\$ 216,702			
November	\$ 410,218	\$ 731,273	\$ 373,674			
December	\$ 366,126	\$ 702,586	\$ 533,542			
January	\$ 255,650	\$ 293,374	\$ 522,759			
February	\$ 175,736	\$ 246,124	\$ 477,279			
March	\$ 449,166	\$ 661,611	\$ 612,321			
April	\$ 669,698	\$ 897,945	\$ 872,321			
May	\$ 433,690	\$ 539,059	\$ 471,237			
June	\$ 85,233	\$ 418,974	\$ 234,979			
YTD	<u>\$2,967,768</u>	<u>\$6,604,983</u>	<u>\$5,080,268</u>	<u>\$ 380,883</u>	<u>\$ 215,448</u>	<u>130.23%</u>

	<u>Original</u> <u>Budget</u> <u>2023-24</u>	<u>Actual</u> <u>2023-24</u>	<u>Variance</u>	<u>%</u>	<u>Power</u> <u>Purchased</u> <u>from</u> <u>National</u> <u>Grid</u>
July	\$ 303,717	\$ 380,883	\$ 77,166	25.61%	\$ -
August	\$ 164,291				
September	\$ 150,939				
October	\$ 399,149				
November	\$ 583,691				
December	\$ 492,044				
January	\$ 378,093				
February	\$ 298,599				
March	\$ 536,386				
April	\$ 820,488				
May	\$ 606,884				
June	<u>\$ 415,719</u>				
YTD	<u>\$5,150,000</u>	<u>\$ 380,883</u>	<u>\$ 77,166</u>	<u>25.61%</u>	<u>\$ -</u>

August 15, 2023

To: The Honorable Mayor and City Council

From: Scott Weller, Superintendent of Parks and Recreation

Subject: Thompson Park Golf Course Update

Data was compiled through July 31, 2023 for the Thompson Park Golf Course and is as follows. Overall, 170 season passes have been sold, totaling 191 passholders, which includes family passes and senior couples. Of the 191 passholders, 115 are city residents.

Season Pass Type	Total Passes (Passholders)	City Resident
18 & Under	56	35
22 & Under	19	4
Adult	19	13
Family (2 adults)	15 (29)	23
Family (additional students)	3	2
Senior	51	28
Senior Couple	7 (14)	10

Course Usage	Total
Rounds Played	8,774
Season Passholder Rounds	3,965
Greens Fees Paid	4,809
City Resident Greens Fees	63%
Tournament Golfers	351
Cart Rentals	6,629

Attached are the Course's Revenues and Expenditures from the City Comptroller.

Thompson Park Golf Course

	FY 2022/23	FY 2023/24 @ 7/31/23	2023 Season as of 7/31/23
Revenues			
Golf Course Fees	\$ 203,683	\$ 75,839	\$ 279,521
Expenditures			
Personal Services			
Salaries	\$ 14,694	\$ 4,691	\$ 19,384
Temporary	67,453	36,462	103,915
Overtime	8,170	6,428	14,598
Total Personal Services	\$ 90,317	\$ 47,581	\$ 137,898
Equipment			
Other Equipment	\$ 12,708	\$ -	\$ 12,708
Total Equipment	\$ 12,708	\$ -	\$ 12,708
Operating Expenses			
Utilities	\$ 15,470	\$ 168	\$ 15,638
Contracted Services	98,482	355	98,837
Fees Non Employees	3,505	-	3,505
Vehicle and Equipment Maintenance	57,918	588	58,505
Materials and Supplies	69,245	6,303	75,548
Equipment < \$5,000	11,872	-	11,872
Total Operating Expenses	\$ 256,492	\$ 7,413	\$ 263,905
Fringe Benefits			
NYS Employees' Retirement System	\$ -	\$ -	\$ -
Social Security	6,909	3,640	10,549
Health Insurance	-	288	288
Total Fringe Benefits	\$ 6,909	\$ 3,928	\$ 10,837
Department Sub-total	\$ 366,426	\$ 58,922	\$ 425,348
Department of Public Works related Golf Course maintenance and repairs:			
Tree removals and prunings	\$ 4,071	\$ -	\$ 4,071
Electric circuit installation for Spokes outdoor kitchen/bar	913	-	913
Various electrical support	13,660	-	13,660
Re-establish stone road	4,824	-	4,824
Mill and patch parking lot	5,991	-	5,991
	\$ 29,459	\$ -	\$ 29,459
Total Expenses	\$ 395,885	\$ 58,922	\$ 454,807
Net Gain/(Loss)	\$ (192,202)	\$ 16,917	\$ (175,285)

Staff Report 5

August 15, 2023

To: The Honorable Mayor and City Council
From: Scott Weller, Superintendent of Parks and Recreation
Subject: Thousand Islands Classic Softball Tournament

The following is a breakdown of fees paid, field usage, and costs associated with this year's softball tournament, held July 21-23, 2023. Seven fields were used a total of 128 hours. Fees paid include \$3,840 for field rental, \$300 for extra field markings, and a \$50 vending fee. Total paid was \$4,190. Not included is facility use for the two clinics which we partnered to host.

The total cost incurred which includes staff time, materials, and equipment was \$5,454.74.