

**CITY COUNCIL MEETING
CITY OF WATERTOWN
May 1, 2023
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

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

Also Present: Kenneth A. Mix, City Manager
H. Todd Bullard, Esq., Harris Beach PLLC, interim City Attorney

City staff present: Michael Delaney, Vicky Murphy, Michael Lumbis, Kyle Meehan, Scott Weller, James Mills, Matthew Roy, Patrick Keenan, Geoffrey Urda, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting the Proposal for Burlington Street Reconstruction Design Services - Aubertine & Currier
- Resolution No. 2 - Initiating SEQRA Coordinated Review and Declaring Intent to be Lead Agency for the Water Treatment Plant Water Quality Improvement Project
- Resolution No. 3 - Adopting the City of Watertown's Community Development Block Grant (CDBG) Program Annual Action Plan for Program Year 2023
- Resolution No. 4 - Adopting City of Watertown FTA Controlled Substance and Alcohol Testing Policy Resolution No. 5 - Accepting Bid for Ready Mix Concrete Products Watertown Concrete
- Resolution No. 6 - Accepting Bid for 535 Olive Street Demolition Project Bronze Contracting, LLC
- Resolution No. 7 - Authorizing Payment to National Grid for the Proposed Street Lighting Removal on Court Street by for the Downtown Streetscape Project
- Resolution No. 8 - Supporting the Continued Operation of the Midtown Towers and the Emma Flower Taylor Fire Station Polling Locations
- Resolution No. 9 - Accepting Bid for Thompson Park Golf Clubhouse Electrical Upgrades Project Blackstone Electric
- Local Law - Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c.
- Staff Report - Budget Session Schedule
- Staff Report - Public Hearings for 2023-24 Operating Budgets and 2023-24 through 2027-28 Capital Budget
- Staff Report - USDA Forest Service Urban & Community Forestry Inflation Reduction Act Notice of Funding Opportunity
- Staff Report - Fair Housing Education and Enforcement Program – Annual Report.
- Executive Session - To Discuss Collective Bargaining

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of April 17, 2023, and work session of April 25, 2023, was dispensed and accepted as written by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

COMMUNICATIONS

A letter was received from HarmoNNY Performing Arts Community, Inc., 23157 Converse Drive, describing the organization and their contribution to the community in regard to music and arts and they requested a donation of \$25,000 from the City's Bed Tax funding.

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

A claim was received from Attorney Brandon Broderick, River Edge, New Jersey, on behalf of Tyler Livingston, seeking reimbursement for injuries occurring after a fall on an icy sidewalk located at 928 and 932 State Street on February 7, 2023.

A Notice of Petition for an assessment review was received from the following companies: Lake Creek Properties c/o McDonald's Corporation #031-0135, Home Depot USA Inc. # 6174, Sundus and Sarah LLC., Community National Bank Association, Americu Credit Union, ARHC NCWTNNY01 LLC., and Stateway Plaza Shopping Center

Above claims have been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Robert Kimball, 927 Ives Street, discussed the City's various advisory panels, such as Advantage Watertown, the committee involved in the waterfront design and the Zoo's "Blue Ribbon Panel" which was recently suggested. He stated that these groups should be listed on the City's website so residents can contact them with their concerns.

Jason Traynor, 424 Arsenal Street, spoke about Council Member Olney's recent allegations towards the Jefferson County Board of Elections and the accusations made about Council Member Olney from a homeless woman that he recently helped. He also expressed concerns over the proposed budget's 2% tax increase and the proposed Council salary increase, which is included in the proposed budget.

Robert (no last name given), Watertown, discussed his proposal for a senior center in the community, noting the benefits to seniors and reviewing the steps in order to make the project happen.

Jonathan Phillips, 735 Mill Street, mentioned two polls posted on the Newzjunky website in which people were against the proposed reverse parking on Court Street and the bump-outs design in Public Square, and he expressed his concerns with the purchase of the golf course and proposed salary increases for Council.

Ben Shoen, Academy Street, questioned Resolution No. 1 and why the lowest proposal for \$122,500 from GHD was not accepted. He also wondered why Council agreed, during the last meeting, to spend an additional \$500,000 for historic lighting on the Grant Street reconstruction project and he suggested that the money go towards additional paving projects.

RESOLUTIONS

Resolution No. 1 - Accepting the Proposal for Burlington Street Reconstruction Design Services - Aubertine & Currier

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council adopted the Community Development Block Grant (CDBG) Program Year 2022 Annual Action Plan on June 20, 2022, and

WHEREAS the 2022 Annual Action Plan identifies Burlington Street Reconstruction – Design as a CDBG project for the 2022 Program Year with the construction phase of the project proposed for the Program Year 2023 Annual Action Plan, and

WHEREAS the Purchasing Department advertised and received five (5) sealed proposals for Burlington Street Reconstruction Design Services, and

WHEREAS on March 2, 2023, at 3:00 p.m. the proposals received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the proposals received with the Planning, Engineering, Public Works and Water Departments and it is their recommendation that the City Council accept the proposal submitted by Aubertine & Currier, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the proposal received from Aubertine & Currier in the amount of \$170,500.00, 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 Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney mentioned Mr. Shoen's question during Privilege of the Floor and asked for an explanation as to why the lowest amount was not accepted.

Mr. Mix explained that this was a Request for Proposal (RFP), so the cost is not the sole consideration in the selection process. He noted that the selection process is more qualitative than quantitative.

City Planner Geoffrey Urda listed the committee members and provided the details that played a role in the committee's decision. He noted that Aubertine and Currier's proposal includes an element of community outreach which will provide a better outcome that the residents in the area will appreciate. He responded to several questions regarding Aubertine and Currier's proposal and GHD's proposal and their differences.

Council Member Pierce wondered if the City could accept the lowest proposal from GHD and have Planning staff do the community outreach, especially since Planning staff was increased last year.

Further discussion occurred regarding the differences between the two proposals, whether City staff could do the community outreach and the City's procurement process.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting nay.

Resolution No. 2 - Initiating SEQRA Coordinated Review and Declaring Intent to be Lead Agency for the Water Treatment Plant Water Quality Improvement Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council of the City of Watertown, New York, is planning to undertake a proposed Water Treatment Plant Water Quality Improvement Project and is applying for funding for the project through the New York State Environmental Facilities Corporation, and

WHEREAS the City Council must evaluate all proposed actions it is considering in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the proposed project is a Type I Action pursuant to 6NYCRR Part 617 regulations, which requires a Coordinated Review with all Involved Agencies to determine the Lead Agency, and

WHEREAS SEQRA specifies that for actions governed by local environmental review, the Lead Agency shall be that agency which has primary responsibility to undertake, fund or approve the action,

NOW THEREFORE BE IT RESOLVED that the City of Watertown City Council hereby directs the City Manager to initiate a Coordinated Review and declares its intent to act as Lead Agency for the Environmental Review of the proposed Water Treatment Plant Water Quality Improvement Project.

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 3 - Adopting the City of Watertown's Community Development Block Grant (CDBG) Program Annual Action Plan for Program Year 2023

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on August 5, 2013, the City Council adopted a resolution authorizing the City of Watertown to become an Entitlement Grantee under the rules and regulations of the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program (CDBG), and

WHEREAS, as an Entitlement Grantee, the City must adopt Annual Action Plans for its Housing and Community Development Program, and

WHEREAS Annual Action Plans must be developed with community input and citizen participation, and

WHEREAS Staff conducted outreach efforts with local constituency groups and presented an overview of the program and discussed project priorities at the January 9, 2023, City Council work session, and

WHEREAS the City Council held a public hearing on February 21, 2023, to solicit public comments regarding the development of funding priorities and projects to be included in the Program Year 2023 Annual Action Plan, and

WHEREAS a draft of the Program Year 2023 Annual Action Plan was completed and published on March 17, 2023, and

WHEREAS the draft plan was made available to the public for review and placed in various offices at City Hall, at the Roswell P. Flower Memorial Library, at the Watertown Housing Authority offices and on the City's website, and

WHEREAS a 30-day public comment period for the plan was held starting on March 18, 2023, after a notice of the comment period was published in the *Watertown Daily Times*, and

WHEREAS the plan was finalized after the 30-day public comment period,

NOW THEREFORE BE IT RESOLVED that the City Council hereby adopts the City of Watertown's CDBG Annual Action Plan for Program Year 2023 and authorizes the submission of the plan to HUD which allocates the CDBG funds as follows:

CDBG Program Year 2023 Budget

<u>Project</u>	<u>Amount</u>
Burlington Street - Street Reconstruction Project	\$275,000
Northwest Target Area ADA Ramp Project Phase 3	\$75,000
Northwest Target Area Tree Planting Project	\$15,000
Watertown Housing Authority Sidewalk Reconstruction Project	\$30,000
542 Cooper Street Demolition	\$40,000
Owner Occupied Housing Rehabilitation	\$196,000
Homebuyer Program	\$196,000
518 Pine Street Transitional Housing SRO Program	\$25,000
Fair Housing Education	\$5,000
WCSD Food for Families (Backpack) Program	\$8,000
Black River Trail - Final Design	\$26,350

Program Administration

\$22,112

Total Funds Proposed for Allocation

\$913,462

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 4 - Adopting City of Watertown FTA Controlled Substance and Alcohol Testing Policy

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown is the recipient of Urbanized Area Formula Funding, 5307 funds, and

WHEREAS Federal regulations mandate that the City of Watertown adopt a Controlled Substance and Alcohol Testing Policy which was last adopted on May 7, 2018, and

WHEREAS a new policy has been formulated which complies with all current FTA Drug and Alcohol regulations,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby adopts the FTA City of Watertown Controlled Substance and Alcohol Testing Policy, a copy of which is attached and made part of this resolution, effective immediately.

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 5 - Accepting Bid for Ready Mix Concrete Products Watertown Concrete

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase Ready Mix Concrete Products on an as needed basis for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for Ready Mix Concrete Products, and

WHEREAS on March 29, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bid received with the Public Works Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Watertown Concrete, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Watertown Concrete per the pricing schedule proposed, and

BE IT FURTHER RESOLVED that the City Manager of the City Watertown is hereby authorized and directed to execute any contracts associated with implementing the award on behalf of the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 6 - Accepting Bid for 535 Olive Street Demolition Project Bronze Contracting, LLC

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to abate and demolish the abandoned existing structure located on 535 Olive Street, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for the 535 Olive Street Demolition Project, and

WHEREAS on April 20, 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 Planning & Community Development Department and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Bronze Contracting, LLC,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Bronze Contracting, LLC in the amount of \$33,800.00, 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 Council Member Sarah V.C. Pierce and carried with all voting yea.

Resolution No. 7 - Authorizing Payment to National Grid for the Proposed Street Lighting Removal on Court Street by for the Downtown Streetscape Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown has recently undertaken the Downtown Streetscape Project which includes improvements to Court Street, and

WHEREAS the proposed improvements on Court Street include the upgrade of the existing cobra head streetlights to ornamental streetlights, and

WHEREAS the existing cobra head streetlights need to be removed as part of the project, and

WHEREAS National Grid has determined that the removal of the streetlights is not covered by the City's Streetlight Agreement, and

WHEREAS National Grid has estimated the cost of the removal, including an asset termination fee to be \$28,348.31, and

WHEREAS National Grid will not schedule the work to remove the streetlights until they receive payment from the City,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes payment to National Grid in an amount not to exceed \$28,348.31 for the removal of thirteen cobra head streetlights on Court Street, including an asset termination fee, and

BE IT FURTHER RESOLVED that City Manager Kenneth A. Mix is hereby authorized and directed to sign the attached customer acceptance letter and pay the attached invoices for the project.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Hickey mentioned that historical lighting has been installed during other street projects.

Mayor Smith noted that this is outside the common practice of what has been done in the past with the replacement of street lighting with historical lighting, noting that the City has not had to pay for the removal of the old fixtures. He also mentioned the Street Lighting Agreement with National Grid, which states the City will have control of what is in the right-of-way, will expire in seven years.

Mr. Mix explained that, under the agreement, the City typically would buy the pole and equipment and National Grid would handle the installation, which, in past practice, included the replacement cost. He advised that the previous attorney had written National Grid a response rejecting the proposed charges, but National Grid still insists that they are entitled to compensation. Mr. Mix noted this could delay the project which could end up costing the City even more.

Attorney Bullard was asked for his opinion, and he indicated that he would need to review the Street Lighting Agreement but advised the City should pay it in order to not hold up the project, but also submit what the City's position is on this, reserving the rights.

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

Resolution No. 8 - Supporting the Continued Operation of the Midtown Towers and the Emma Flower Taylor Fire Station Polling Locations

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the right of the people to vote is guaranteed as an individual right under the United States Constitution, and

WHEREAS the Watertown City Council, being elected to represent the people of the City of Watertown, are duly sworn by their oath of office to uphold the Constitution of the United States, and

WHEREAS the commissioners of the Jefferson County Board of Elections have unilaterally decided to place two of the six polling locations within the city on pause, and

WHEREAS this pause effectively closes the polling sites at Midtown Towers and the Emma Flower Taylor Fire Station, leaving only four active polling sites within the city for elections in 2023, and

WHEREAS the board of elections notified this body and solicited for comments via social media on March 8, 2023, to be received by March 15, 2023, and

WHEREAS the news media is an effective medium for communicating mass communication to the general public, and

WHEREAS the news media did not cover the pause of polling locations until March 27, 2023, well after the deadline for the submission of comments, and

WHEREAS the closure of the Midtown Towers and the Emma Flower Taylor Fire Station affects many of our seniors who rely primarily on news media over social media, and

WHEREAS to facilitate the submission of comments through an open and transparent process, the board of elections should reconsider their decision to pause these polling locations,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby supports the continued operation of the Midtown Towers and the Emma Flower Taylor Fire Station polling sites, and

BE IT FURTHER RESOLVED that this body agrees to revisit the pause for 2024.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Pierce referred to paragraph five of the resolution and suggested an amendment regarding the notification of Council.

Council Member Ruggiero reviewed the timeline of events and provided her reasons for asking for this resolution to be brought forward, stressing that she did not feel the people affected by this change were properly notified with enough time. She mentioned that she had spoken to County Legislators and Jefferson County Administrator Robert Hageman and was told that the funding and resources are available for these polling sites.

Council Member Olney agreed with Council Member Ruggiero and stated that the closing of the two polling sites disproportionately affected certain demographics within the City. He expressed further concern with closing these polling sites.

Board of Elections Commissioners Jude Seymour and Michelle LaFave were present and responded to many of Council Member Ruggiero's concerns regarding the closing of the two polling sites and the use of absentee ballots. They stressed that the decision was based on the number of people voting at those sites and that there was no truth to the accusations that had been made on social media. They both responded to several questions posed by Council Member Olney, reiterating the reason for their decision and denying the allegations that were being made about the decision process.

Attorney Bullard reminded everyone of the proper decorum for a meeting.

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

**Resolution No. 9 - Accepting Bid for Thompson Park Golf Clubhouse Electrical Upgrades Project
Blackstone Electric**

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to install new panels, wiring, and conduit as part of required electrical upgrades at the Thompson Park Golf Clubhouse located at 1 Thompson Park, Golf Club House Building, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for the Thompson Park Golf Clubhouse Electrical Upgrades Project, and

WHEREAS on April 27, 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 and Parks and Recreation Departments and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Blackstone Electric,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Blackstone Electric in the amount of \$54,126.15, 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 Council Member Patrick J. Hickey

Prior to the vote on the foregoing resolution, Mayor Smith expressed concerns with the cost and that not enough due diligence was done prior to the purchase.

In response to Council Member Hickey's question about the word "upgrades" in the resolution, Mr. Mix explained the work being done was based upon plans put together by C&S Engineers and their inspection. He added that the work is what is needed in order to bring the clubhouse up to code.

There was discussion about whether the previous owner would be responsible for this expense and whether the cost could and/or would be taken from the \$100,000 that was to be held until all the terms of the agreement were met. There was also clarification regarding the work that the City Electrical employees have done compared to the work that Blackstone Electric would complete.

Discussion turned to the terms of the asset agreement and what was still to be fulfilled in order to release the \$100,000 holdback money, as well as the return of the ornamental golf ball that was taken from the property.

Attorney Bullard listed the items included in the asset purchase agreement that still need to be addressed by Mr. Lundy, noting there is a tractor missing, issues with the chargers and carts in poor condition. He indicated this was explained in a letter that was sent to Mr. Lundy's attorney.

Conversation then turned to the demand letters that Attorney Bullard has sent, the release of copies of these letters and executive session discussions.

Council Member Olney expressed his disagreement with how this matter was handled and with the need for a demand letter, which led to a lengthy back and forth between him and Attorney Bullard.

Attorney Bullard questioned Council Member Olney regarding whose side he was on and stressed that his loyalty should be to the City.

Further debate and discussion ensued among Council regarding the return of the ornamental golf ball, the lack of an inspection and appraisal prior to closing the sale, the demand letters sent to Mr. Lundy's Attorney and the obligations to be met by Mr. Lundy regarding the \$100,000 hold-back.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting nay.

LOCAL LAW

Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c.

Introduced by Council Member Lisa A. Ruggiero

A local law to override the tax levy limits established by New York General Municipal Law §3-c.

WHEREAS, the City Council of the City of Watertown desires to override the limit on the amount of real property taxes that may be levied by the City of Watertown pursuant to General Municipal Law §3-c, and to allow the City of Watertown to adopt a budget for the fiscal year beginning July 1, 2023 and ending June 30, 2024 that requires a real property tax levy in excess of the "tax levy limit" as defined by General Municipal Law §3-c; and

WHEREAS, such override is authorized by the provisions of subdivision 5 of General Municipal Law §3-c, which expressly authorizes the City Council to override the tax limit by adoption of a local law approved by a vote of at least sixty percent (60%) of the City Council; and

WHEREAS a public hearing on this was held on May 15, 2023, at 7:15 p.m. in the City Council Chambers;

NOW THEREFORE BE IT ENACTED by the City Council of the City of Watertown, New York, as follows:

Tax Levy Limit Override: The City Council of the City of Watertown, County of Jefferson is hereby authorized to adopt a budget for the fiscal year 2023-2024 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Severability: If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, individual, firm or corporation, or circumstance, shall be adjudicated by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Effective Date: This local law shall take effect immediately upon filing with the Secretary of State.

Seconded by Council Member Sarah V.C. Pierce

Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing on the foregoing local law for Monday, May 15, 2023, at 7:15 p.m. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

STAFF REPORTS

Budget Session Schedule

A report listing the scheduled meeting dates to discuss the Proposed Budget for FY 2023/24 was provided to Council.

Public Hearings for 2023-24 Operating Budgets and 2023-24 through 2027-28 Capital Budget

Council was given a memo providing staff's recommendations for public hearings for both the Proposed Operating and Capital Budgets.

Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing on Monday, May 15, 2023, at 7:15 p.m. to provide the public with an opportunity to voice their opinions about the Fiscal Year 2023-24 Operating Budget and the Fiscal Year 2023-24 through 2027-28 Capital Budget.

Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

USDA Forest Service Urban & Community Forestry Inflation Reduction Act Notice of Funding Opportunity

A report was available advising Council of a grant opportunity for Urban and Community Forestry funding, which can be used towards projects that protect, enhance and expand tree canopy cover, projects that encourage proactive and systematic maintenance and monitoring of urban trees and forested areas and projects that address exotic invasive pest species that adversely impact urban forests. The grant requires a dollar-for-dollar match, which may include in-kind contributions such as personnel salary and fringe costs, materials, supplies and volunteer assistance, or a match waiver is possible for projects that deliver 100% of the funding/program benefits to disadvantaged communities. Staff is seeking Council's interest in applying for this grant before it develops a more detailed project scope and budget.

Council agreed with staff moving forward with this.

Fair Housing Education and Enforcement Program – Annual Report

A report, which summarized CNY Fair Housing efforts to conduct Fair Housing outreach, education, and enforcement activities from Program Year 2021 (Calendar Year 2022), was available for Council to review.

NEW BUSINESS

Privilege of the Floor Comments - Raises for Council

Mayor Smith noted that the raises for City Council Members were proposed by him to take effect on January 1, 2024, which is after the election and after he is out of office.

Privilege of the Floor Questions - Boards and Commission

Mayor Smith asked the City Clerk if the Boards and Commissions were on the City's website.

City Clerk Saunders replied that the Boards and Commissions which are appointed by Council or the City Manager are listed on the website and she added that Friends of Thompson Park and Advantage Watertown are also listed there, but noted they are not appointed by Council.

Mr. Mix added that the Friends of Thompson Park was a more informal group without a true membership.

Privilege of the Floor Comments - Senior Center Facility

Mayor Smith advised that the City should reach out to the County and the Office of the Aging, noting that he did not want to duplicate services the County was already providing.

Privilege of the Floor Comments – Street Lights

Mayor Smith clarified that it was not just Grant Street but other streets as well that have been reconstructed with historical lighting.

Meetings and Events

Council Member Hickey listed the following upcoming meetings and events: City Planning Commission on May 2; Armed Forces Breakfast on May 3; Second-hand smoke webinar on May 4; Protect Watertown speech by Tom Homan on May 6; Leave Behind Program on May 9; National Fentanyl Awareness Day on May 10, and Thompson Park Workday on May 13. He also listed the upcoming budget review sessions on May 4, 8, 11 and 12.

National Youth Mental Health

Council Member Hickey listed some stats regarding suicide, drugs and guns among youth in the U.S and asked what the Watertown City School District is doing to combat these issues.

4-H Summer Programs/Camp Wabasso

Council Member Hickey listed the various programs available this summer at Camp Wabasso in Redwood and noted scholarships are available.

Child Abuse Prevention Month

Council Member Hickey had a message for parents regarding online safety for children, suggesting there are ways to remove explicit photos your child may have posted online.

NYS Driver's License Vision Tests

Council Member Hickey informed Council that a COVID technicality, which deferred vision tests so drivers could self-certify, was causing people to have their licenses suspended. He encouraged people to submit vision test results to the Department of Motor Vehicles to avoid losing their licenses.

New York State Campaign Finance Update Webinar

Council Member Hickey informed Council that there were two upcoming webinars dealing with campaign finance on May 4 at 9 a.m. and May 15 at 1 p.m.

Water Discharge into the Black River

Council Member Hickey listed some updated statistics on the amount of untreated water being discharged into the River from recent rainstorms.

CDL Training in Question

Council Member Hickey reminded Council that he had mentioned in a previous meeting that there would be some CDL training classes held in the area but the Syracuse school that was providing the training has now closed. He suggested contacting JCC for further information.

Closing of Polling Sites

Readdressing this topic, Council Member Olney said he believes that not enough people voting is not a good reason to close a polling site. He stated that he feels that a disproportionate number of disabled, elderly and working-class members are affected by this.

Zoo's "Blue Ribbon Panel"

Council Member Olney mentioned that his daughter, Kara, would like to be a part of this committee.

Privilege of the Floor Comments - Traynor

Council Member Olney indicated that he will not apologize for his remarks and actions, as requested by Mr. Traynor during Privilege of the Floor.

Privilege of the Floor Comments - Raises for Council/Proposed Budget

Council Member Olney said he appreciates Mayor Smith's suggestion for a pay increase for Council but he questioned the motive for it, especially with this year being an election year. He mentioned there is a tax increase and water and sewer rate increase in the proposed budget but his focus is not on raising people's property taxes. He said he would like to focus on recreational opportunities which will bring in sales tax. He also discussed what he feels should be the balance of the General Fund's fund balance and what should be used for the upcoming budget. Lastly, he asked if the Mayor sits in on budget meetings with staff and has the ability to suggest additions to the proposed budget, which is a privilege that Council Member Olney does not have.

Privilege of the Floor Comments - Senior Center Facility (continued)

Council Member Olney said that he supports Robert's idea for a senior center and thinks this is something the County could work on with the City.

Privilege of the Floor Comments – Reverse Angle Parking

In regard to Mr. Phillips' comments about the recent poll on Newzjunk, Council Member Olney said people get into a comfort zone and change is sometimes difficult, but things like this would move the City forward in a new direction.

Golf Course

Council Member Olney commented that possibly more due diligence could have been done in the initial phase of this purchase of the land in Thompson Park. He said he was never opposed to taking a closer

look at everything but was told by the former City Attorney that everything was in line with the agreement. He asked if the clubhouse had been condemned.

Mr. Mix explained the purpose of condemnation is to keep the public out of it, but it is not occupied now so there is no purpose for condemning it. He confirmed for Council Member Olney that the golf course can be operated without the electrical being upgraded, noting that it opened today. He explained that restrooms were brought in on a trailer and Spokes has made some contingencies to handle things without the use of the clubhouse until the repairs have been made.

Council Member Olney commented that he would like to provide a better understanding of how the process of the purchase was done. He discussed his comments made when the electrical issues were first discovered and objected to some of Mayor Smith's earlier statements. He reviewed the history of the purchase, dating back to when Mr. Lundy named him in a notice of claim regarding the closure of the parking lot. He also recalled how Mr. Simao was going to originally purchase the course from Mr. Lundy and close it down so that Ives Hill Golf Club would be the only 18-hole course in the City. He further discussed his knowledge of certain events involving this deal and the potential for litigation against the City and how he felt this deal was mishandled and portrayed to the public by other members of Council.

Council Member Pierce asked the City Attorney to weigh in on whether or not it could be construed as extortion that potential lawsuits were a deciding factor in Council Member Olney's decision to agree on the sale of the golf course.

Attorney Bullard asked Council Member Olney a series of questions to attempt to determine the Council Member's involvement with the deal and, after considerable back and forth, informed Council Member Pierce he believed Council Member Olney had answered the question.

Council Member Pierce thanked staff for all their hard work in getting the golf course ready for its opening, which occurred earlier in the day. She inquired whether there would be corporate memberships offered.

Mr. Weller indicated the topic had come up but, for now, they were going with the current rates.

Voter Outreach

Council Member Pierce stated she had planned several voter outreach events to encourage people to get out and vote and she invited fellow Council Members to participate. The first would be May 16th at Stewarts on Washington Street and the second on June 7 at Midtown Towers.

Adopt a Spot

Council Member Pierce commented that, now that the weather is nicer, she hoped people would apply for an adoptable spot. She noted the City's website had been updated and she had chosen a spot at the intersection of Davidson and West Lynde to do planting there on May 13 in honor of Mother's Day, inviting the public to join her. She noted this was a great way to beautify the City and, by having participation, a good way to teach the children the importance of community.

Social Media Policy

Council Member Pierce asked if any formal City policy had been created for social media, including the act of blocking people and deleting comments.

Mr. Mix indicated that this was one of the first questions the City had for interim attorneys Harris Beach and the firm had put together some information which staff is still in the process of looking into.

Council Member Pierce noted that, at this point, she thought everyone was clear on what should and should not be done, due to freedom of speech, but suggested a formal policy be drafted, not only for Council Members but for City staff.

214 E. Hoard Street

Council Member Pierce mentioned the ongoing issue of the DeGennaro family wishing to purchase this property once the house on the property was razed. She inquired where this proposal stood.

Council Member Hickey noted his objections to selling them the property because he wanted the property back on the tax rolls. He indicated that Neighbors of Watertown were planning to rehabilitate the home on the property.

Mr. Mix confirmed that Neighbors of Watertown were planning to reconstruct the house as a single-family home.

Mayor Smith commented that Neighbors of Watertown made that proposal more than five years ago.

Council Member Pierce indicated that Mrs. DeGennaro said that most of the neighbors supported the house being torn down.

Council Member Hickey asked how much it would cost to tear it down.

Mr. Lumbis replied that it would be a similar cost to the resolution tonight for the demolition on Olive Street but would depend on factors like tipping fees. He also informed Council that Neighbors of Watertown was now prepared to move forward with the rehab.

Landlord Listening Session

Council Member Pierce announced that she would be holding a listening session for landlords to be heard on the various issues facing them in the City of Watertown and she invited all members of Council to come on May 11 from 11 a.m. to 1 p.m. She commented that this would be a good time to get all the interested parties together in one place, including law enforcement and the District Attorney.

Tree Planting

Council Member Ruggiero indicated that there was a tree planting last week in honor of former Mayor T. Urling Walker. Later in the meeting, she mentioned that a tree planting event occurred last Saturday as well, and many volunteers participated.

214 E. Hoard Street (continued)

Council Member Ruggiero noted that she spoke with Mrs. DeGennaro and that Mrs. DeGennaro expected the City to demolish the home and then estimated the vacant lot would be worth approximately \$1,000. She stated that she is glad to hear that Neighbors of Watertown are ready to begin the rehab

project and asked Mr. Lumbis specific questions regarding rehabilitation done by Neighbors of Watertown.

Law and Order Night

Council Member Ruggiero mentioned that Law and Order Night occurred last Monday night and it is an opportunity to honor Police and Fire personnel for their bravery.

Recent Speaking Events

Council Member Ruggiero mentioned that she was asked to speak at the Leadership in Business Symposium on April 19 at Jefferson Community College and at the NCO Academy at Fort Drum on behalf of Urban Mission Bridge Program, also on April 19.

Ribbon Cutting for Behavior Health Urgent Care

Council Member Ruggiero mentioned that she attended this ceremony on April 21 for the new mental health facility on State Street. She said that Watertown and the surrounding areas are very fortunate to have this facility in the community.

Transcript of Golf Course Hearing

Council Member Ruggiero requested a copy of the transcript of the hearing held in January regarding the golf course. She noted that she attended this but others who did not attend might want to read through the transcript to better understand what happened.

Raising of the Israel Flag

Council Member Ruggiero mentioned that this ceremony was held this week and comments were made on social media that no one from the City was in attendance. She said she understands this was a verbal request to the Mayor and he could not make it but no one else was notified. Stating she believes it was a miscommunication, she apologized for the City not providing representation.

Golf Course (continued)

Council Member Ruggiero mentioned the golf course had opened today and she was glad to see people there despite the weather conditions.

Privilege of the Floor – Proposed Budget

Referring to Mr. Traynor's comments about the proposed tax increase, Council Member Ruggiero noted that Council has not started budget discussions and she expects there will be changes made that might decrease the proposed tax increase.

Golf Course Advertising/ Social Media Policy

Council Member Ruggiero noted that advertising for the golf course is being done with WWNY and asked if the City would be using other options.

Parks and Recreation Superintendent Scott replied that the staff is exploring multiple options for advertising.

Council Member Ruggiero pointed out that Amy Horton, who has spoken publicly against the purchase of the golf course, is handling the City's advertising account with WWNY, and she wondered if this was a conflict because she is benefiting from the advertising of this. Regarding a City social media policy,

Council Member Ruggiero asked if there would be guidance regarding if someone could be blocked or deleted because they are “harassing” Council Members or when there are issues with the language used.

Attorney Bullard explained that you cannot punitively punish someone because they do not agree with your position on something. He further explained that Ms. Horton has a first amendment right to not agree with the purchase of the golf course, but the City cannot take an official position to punish her or WWNY in regard to the advertising. He reiterated that her own personal opinion should be protected as a first amendment right and should not impact her ability to perform her job.

Council Member Ruggiero said she does not agree with that, but she understands what the attorney is saying.

Further discussion occurred about this and whether this person is benefiting or if there is a conflict.

Golf Course Appraisal

Council Member Ruggiero discussed the company which appraised the land and golf course and said they did not include the equipment, but some people forget that the equipment was not included. She noted that this company also appraised the vacant land at the former Mercy site, which is five and half acres, for \$1.5 million, but Judge McCluskey threw this out in court. She also discussed the nine acres at the arena being assessed at \$1.5 million, adding that people need to put these into perspective.

Golf Course (continued)

Council Member Ruggiero wished the golf course well and discussed the number of tournaments and leagues that were occurring.

Ten Eyck and Dimmick Streets Complaints

Mayor Smith advised that he has received complaints that the residents of the homeless shelter on Pine Street are cutting through property owners’ yards in that area.

Raising of the Israel Flag (continued)

Mayor Smith indicated that he received a call with this request and advised that he could not be there due to his work schedule. He said it was not an email and apologized for the miscommunication.

Proposed Budget / Proposed Council Salary Increase

Mayor Smith discussed the proposed budget increase and corrected statements that were made earlier regarding the prior year’s budget. He noted the difference between a change in the tax levy versus the tax rate. He also explained why he proposed an increase in Council’s salary to be effective after he leaves office. Referring to Council Member Olney’s earlier question, he clarified that he does not attend staff budget meetings.

Golf Course (continued)

Regarding comments made about the appraisal, Mayor Smith noted that the appraisal was only for nine holes because the City already owned the other nine holes. He wished the golf course well and said the City should have a better understanding of the revenue and expense after the first season.

Mayor Smith then reviewed what he called the facts of the process of the golf course purchase. He made reference to the process happening very quickly over a short period of time and clarified that the

original price was \$3.7 million and came down to \$3.4 million because the City did not want the clubhouse torn down. He discussed his desire to have an appraisal and review of the tax returns prior to finalizing the deal, but only the appraisal resolution was approved, and it was to be done after the sale. He also expressed his concerns with the ornamental golf ball being taken from the property, noting that if anyone else had taken it, there would have been charges brought against them.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss collective bargaining and to discuss proposed, pending or current litigation.

Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

Council moved into Executive Session at 10:30 p.m.

Council reconvened at 11:32 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 11:32 p.m. by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk