

**CITY COUNCIL MEETING
CITY OF WATERTOWN
May 15, 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: Vicky Murphy, Scott Weller. Michael Lumbis, James Mills, James Scordo, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid for Dry Polymer – WWTP Slack Chemical
- Resolution No. 2 - Accepting Bid for Disinfection Chemicals – WWTP Slack Chemical Co. Inc.
- Resolution No. 3 - Accepting Bid for Process Chemicals – Ferric Chloride – WWTP Kemira Water Solutions, Inc.
- Resolution No. 4 - Rejecting Bid - Water Department EV Charging Stations Project Watson Electric
- Resolution No. 5 - Accepting Bid for Process Chemicals -WTP Slack Chemical
- Resolution No. 6 - Accepting Bid for Process Chemicals -WTP Thornton, Musso & Bellemin
- Resolution No. 7 - Accepting Bid for Process Chemicals -WTP Univar Solutions
- Resolution No. 8 - Accepting Bid for Process Chemicals -WTP Thatcher Company of NY
- Resolution No. 9 - Accepting Bid for Process Chemicals -WTP Coyne Chemical Co.
- Resolution No. 10 - Accepting Bid for Process Chemicals -WTP Kemira Water Solutions, Inc.
- Resolution No. 11 - Accepting Bid for Process Chemicals -WTP TR International Trading Co.
- Resolution No. 12 - Accepting Bid for Hydro Plant Concrete Work Project, Phase 2 - On Point Excavation & Consulting LLC
- Resolution No. 13 - Approving Changes to Annual City Fees and Charges Schedule - Pickleball
- Resolution No. 14 - Authorizing and Supporting a Grant Application through the USDA Forest Service Urban & Community Forestry Program
- Resolution No. 15 - Supporting the Construction of a Roof Over the Bandstand in Thompson Park in Honor of Former Mayor T. Urling Walker
- Resolution No. 16 - Adopting the New York State Climate Smart Communities Pledge
- Public Hearing - 2023-24 Operating Budgets and 2023-24 through 2027-28 Capital Budget
- Public Hearing - A Local Law Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c
- Local Law - A Local Law Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c
- Staff Report - NYSDEC Municipal Separate Storm Sewer System (MS4) Annual Report
- Staff Report - Sales Tax History
- Staff Report - Sales Tax Revenue by Category

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence and Mayor Smith asked that it be in remembrance of retired Battalion Chief Paul Fitzgerald.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of May 1, 2023, budget session of May 4, 2023, budget session of May 8, 2023, budget session of May 11, 2023, and budget session of May 12, 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

No communications.

PRIVILEGE OF THE FLOOR

Jim Baker, 356 Broadway Avenue West, indicated that he has owned his property since 1998 and the property behind him is owned by the City and known as an undeveloped portion of Brett Street. He stated that he has maintained the grass up until 2022, when the City decided to auction the parcel but then Council did not accept the bidder's offer. He explained that the City maintained the grass well during 2022 but has not cut it once this year, claiming that it is too wet. He would like this area cleaned up.

Jason Traynor, 424 Arsenal Street, said that something was stolen from his property last Saturday and he is not satisfied with the Police Department's response. He asked for Council's assistance and related this incident to the golf ball being taken from the City-owned golf course.

Joedy Muller, 778 Lansing Street, stated she was here on behalf of Robert, who normally speaks at meetings. She announced there will be a meeting on June 6 at the Flower Memorial Library to discuss a possible senior center. She encouraged people to attend to express their interest and share their ideas on what is needed in the community in regard to a senior center.

Brian Ashley, 263 Thompson Boulevard, addressed Council about Resolution No. 15 and support for constructing a roof over the bandstand in Thompson Park in honor of former Mayor T. Urling Walker. He said he is part of a small group committed to seeing this project through and is available for Council's questions.

Robert Kimball, 927 Ives Street, indicated that he has attended all of the City's budget sessions and that there has been too much focus on the golf course, which he feels was overpriced and poorly negotiated. He discussed the possibility of sales tax revenue leveling off and urged Council to adopt a more conservative approach. He also discussed the roles of the Mayor and Council Members, stating that they should not get into the weeds and should listen to staff.

Jonathan Phillips, 735 Mill Street, expressed concern that the construction being done within the downtown area is more pedestrian-friendly and the bump-outs will cause traffic issues. He said he has seen vehicles racing each other to get into the same lane and knows of a CitiBus being sideswiped by another vehicle.

Ben Shoen, Academy Street, addressed the chair concerning the Burlington Street project and Council's decision to accept a proposal from a higher vendor instead of accepting the lowest qualified proposal. He noted the decision was based on the community outreach element of the proposal but pointed out that Burlington Street does not have a lot of houses and possibly community outreach could be done in-house. He suggested the City could have put the additional \$58,000 towards more infrastructure projects. He also expressed concern with the golf course not accepting cash as a payment type.

PUBLIC HEARING

At 7:15 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning Fiscal Year 2023-24 Operating Budgets and Fiscal Years 2023-24 through 2027-28 Capital Budget.

Mayor Smith declared the hearing open at 7:15 p.m.

Jason Traynor, 424 Arsenal Street, expressed concern with the proposed property tax increase and the funding gap within the outgoing years.

In response to Mayor Smith's request, City Comptroller James Mills explained the proposed levy increase, mentioning the change after adjustments suggested during recent budget sessions. He also explained the assumptions used to formulate the multi-year plan and the predicted deficit. He summarized that revenue is not growing as fast as the expenditures.

Mayor Smith declared the hearing closed at 7:19 p.m.

At 7:20 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning a Local Law Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c.

Mayor Smith declared the hearing open at 7:20 p.m.

No one spoke.

Mayor Smith declared the hearing closed at 7:21 p.m.

RULES OF COUNCIL

Mayor Smith interrupted the regular course of business to address concerns regarding the decorum of the meetings recently. He presented each Council Member with a copy of the Rules of Council and read through various sections. He indicated that he wanted every Council Member to be aware of the Rules and have a full understanding of them because he will be attempting to enforce them regularly during the meetings.

RESOLUTIONS

Resolution No. 1 - Accepting Bid for Dry Polymer – WWTP Slack Chemical

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase the process chemical, Dry Polymer, on an as needed basis, for use at the City's Pollution Control Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for Dry Polymer, and

WHEREAS on March 28, 2023, at 2:30 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bid received with the Water Department Chief Operator and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Slack Chemical Co. Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Slack Chemical Co. Inc. per the pricing schedule proposed, for the purchase of Dry Polymer.

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

Resolution No. 2 - Accepting Bid for Disinfection Chemicals – WWTP Slack Chemical Co. Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase Disinfection Chemicals, on an as needed basis, for use at the City's Pollution Control Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for Disinfection Chemicals, and

WHEREAS on March 28, 2023, at 3:30 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Water Department Chief Operator and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Slack Chemical Co. Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Slack Chemical Co. Inc. per the pricing schedule proposed, for the purchase of Disinfection Chemicals.

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

Resolution No. 3 - Accepting Bid for Process Chemicals – Ferric Chloride – WWTP Kemira Water Solutions, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase Process Chemicals – Ferric Chloride, on an as needed basis, for use at the City’s Pollution Control Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for Process Chemicals – Ferric Chloride, and

WHEREAS on March 28, 2023, at 3:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bid received with the Water Department Chief Operator and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Kemira Water Solutions, Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Kemira Water Solutions, Inc. per the pricing schedule proposed, for the purchase of Process Chemicals – Ferric Chloride.

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

Resolution No. 4 - Rejecting Bid - Water Department EV Charging Stations Project Watson Electric

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to install two (2) external EV charging stations, one located at the Wastewater Treatment Plant and one at the Water Treatment Plant, and

WHEREAS the Purchasing Department advertised and received one (1) sealed bid for the Water Department EV Charging Stations Project, and

WHEREAS on April 26, 2023, at 10:00 a.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bid received with the Water and Engineering Department and it is their recommendation that the City Council reject the bid,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby reject the bid received by Watson Electric.

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

Resolution No. 5 - Accepting Bid for Process Chemicals -WTP Slack Chemical

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City’s Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Slack Chemical Co. Inc. as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Chlorine Liquid	Ton	30	\$ 3,184.31	\$95,529.30	Slack Chemical Co.
Sodium Silicate Liquid	Ton	340	\$457.32	\$155,488.80	Slack Chemical Co.
20% Sodium Permanganate Solution	Ton	35	\$2,477.27	\$86,704.45	Slack Chemical Co.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Slack Chemical Co. Inc. per the pricing schedule proposed, for the purchase of Liquid Chlorine, Sodium Silicate Liquid, and 20% Sodium Permanganate for use at the City's Water Treatment Plant.

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

Resolution No. 6 - Accepting Bid for Process Chemicals -WTP Thornton, Musso & Bellemin

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Thornton, Musso & Bellemin as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Copper Sulfate, Size B	Ton	1	\$4,700.00	\$4,700.00	Thornton, Musso & Bellemin

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Thornton, Musso & Bellemin per the pricing schedule proposed, for the purchase of Copper Sulfate, Size B for use at the City's Water Treatment Plant.

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

Resolution No. 7 - Accepting Bid for Process Chemicals -WTP Univar Solutions

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Univar Solutions as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Hydrofluosilicic Acid Solution	Ton	20	\$700.00	\$14,000.00	Univar Solutions

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Univar Solutions per the pricing schedule proposed, for the purchase of Hydrofluosilicic Acid Solution for use at the City's Water Treatment Plant.

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

Resolution No. 8 - Accepting Bid for Process Chemicals -WTP Thatcher Company of NY

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Thatcher Company of NY as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Aluminum Sulfate Liquid	Ton	440	\$480.00	\$211,200.00	Thatcher Company of NY

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Thatcher Company of NY per the pricing schedule proposed, for the purchase of Aluminum Sulfate Liquid for use at the City's Water Treatment Plant.

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

Resolution No. 9 - Accepting Bid for Process Chemicals -WTP Coyne Chemical Co.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Coyne Chemical Co. as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Powdered Activated Carbon	Ton	4	\$3,011.76	\$12,047.06	Coyne Chemical Co.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Coyne Chemical Co. per the pricing schedule proposed, for the purchase of Powdered Activated Carbon for use at the City's Water Treatment Plant.

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

Resolution No. 10 - Accepting Bid for Process Chemicals -WTP Kemira Water Solutions, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Kemira Water Solutions, Inc. as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Polyaluminum Chloride	Ton	65	\$519.00	\$33,735.00	Kemira Water Solutions, Inc.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Kemira Water Solutions, Inc. per the pricing schedule proposed, for the purchase of Polyaluminum Chloride for use at the City's Water Treatment Plant.

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

Resolution No. 11 - Accepting Bid for Process Chemicals -WTP TR International Trading Co.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to purchase various process chemicals, on an as needed basis, for use at the City's Water Treatment Plant for the fiscal period of July 1, 2023 – June 30, 2024, and

WHEREAS the Purchasing Department advertised and received ten (10) sealed bids for Process Chemicals - WTP, and

WHEREAS on March 28, 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 WTP Chief Operator, Aaron Harvill, and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by TR International Trading Co. as detailed below,

Chemical	UOM	Est. Annual Usage	Fiscal Year 2023-2024		Recommended Vendor
			Unit Price	Extended Price	
Soda Ash	Ton	130	\$578.00	\$75,140.00	TR International Trading Co.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from TR International Trading Co. per the pricing schedule proposed, for the purchase of Soda Ash for use at the City's Water Treatment Plant.

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

Resolution No. 12 - Accepting Bid for Hydro Plant Concrete Work Project, Phase 2 - On Point Excavation & Consulting LLC

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to demolish and remove an old set of concrete stairs on the river side of the hydro plant building, resurfacing of the piers in the forebay area, and the demolition and resurfacing of the top 3 inches of the building walkway deck located on Marble Street, and all other associated work, and

WHEREAS the Purchasing Department advertised and received two (2) sealed bids for the Hydro Plant Concrete Work Project, and

WHEREAS on April 20, 2023, at 10:00 a.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 On Point Excavation & Consulting LLC, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from On Point Excavation & Consulting LLC in the amount of \$165,389.67, 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, Mayor Smith asked why there was such a discrepancy between the two bids that were submitted. He wondered if there is the potential for more change orders from the lowest bidder.

Water Superintendent Vicky Murphy advised that the engineers reviewed both bids and were satisfied with the lowest bidder's proposal.

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

Resolution No. 13 - Approving Changes to Annual City Fees and Charges Schedule – Pickleball

Introduced by Council Member Lisa A. Ruggiero

WHEREAS City Council established a City Fees and Charges Schedule for the City of Watertown, as authorized by Local Law No. 2 of 2016, and

WHEREAS the Fiscal Year 2022-2023 City Fees and Charges Schedule was adopted by City Council on June 6, 2022 when the Fiscal Year 2022-2023 Budget was adopted, and

WHEREAS the Parks and Recreation Department has proposed changes to this schedule to include the pickleball fees,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the below changes to the City Fees and Charges Schedule:

Pickleball Tournament	\$40 per team
Pickleball Open Play	\$4.00 for City Resident / \$5.00 for Non-City Resident

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

Resolution No. 14 - Authorizing and Supporting a Grant Application through the USDA Forest Service Urban & Community Forestry Program

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the U.S. Department of Agriculture Forest Service has recently announced that grant applications are being accepted for Urban and Community Forestry funding that has been made available through the Inflation Reduction Act, and

WHEREAS the City of Watertown has made the planting, care, and management of its urban forest a priority over the last three decades in the wake of several devastating storms in the 1990's, and most recently a city-wide infestation of the destructive Emerald Ash Borer, and

WHEREAS Tree Watertown, the City's Street Tree Advisory Board, has recommended that the City apply for funding through this program, and

WHEREAS City Staff is proposing a multi-faceted urban forestry project that would include Tree Planting, Tree Maintenance a Tree Inventory and Management Plan and Community Outreach and Education,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes and supports a grant application for up to \$1 million through the USDA Forest Service Urban & Community Forestry Program, and

BE IT FURTHER RESOLVED that City Manager Kenneth A. Mix is hereby authorized and directed to file an application for funding and upon approval of said request, to enter into and execute a project agreement with the USDA Forest Service for such financial assistance for the City of Watertown.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith discussed this funding and noted that they seem to highlight work for parks and greenspaces.

Planning and Community Development Director Michael Lumbis explained that the match waiver qualifies for all areas within the City except for the southwestern portion, so any work in Thompson Park would fall into that category as well.

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

Resolution No. 15 - Supporting the Construction of a Roof Over the Bandstand in Thompson Park in Honor of Former Mayor T. Urling Walker

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the late Mayor T. "Tom" Urling Walker was a dedicated leader of the City of Watertown and an advocate for Thompson Park; and

WHEREAS the construction of a roof over the Bandstand in Thompson Park will benefit the community and visitors to the park by providing a covered space for outdoor events and performances; and

WHEREAS a roof over the Bandstand will allow for people to come together in all weather conditions and enjoy the beauty of the park and the community; and

WHEREAS, former Mayor Tom Walker had expressed great interest in this project before he passed away in January; and

WHEREAS a lasting memorial honoring Mayor Walker and his vision for the park is a way for the City to show its appreciation for his dedicated service.

NOW THEREFORE BE IT RESOLVED, by the City Council of Watertown that we fully support the construction of a roof over the Bandstand in Thompson Park in honor of the late Mayor T. "Tom" Urling Walker, a visionary leader and advocate for the community; and

BE IT FURTHER RESOLVED, that the City of Watertown will consider providing financial support towards the project during a discussion regarding monetary funds that the City might contribute.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Pierce commented that this will be a good benefit for Thompson Park and wondered if the project would qualify for CFA funding.

Council Member Ruggiero agreed, stating that a roof could extend the use of the bandstand.

Council Member Olney also expressed support for this.

Mr. Lumbis noted that that they have not talked about the funding of this project yet and is not aware of the fundraising efforts being done by Mr. Ashley's group.

Mr. Ashley addressed Council stating that he is working with Rande Richardson, Executive Director of Northern New York Community Foundation, to establish an account for fundraising. He pointed out that is the reason this resolution is needed. He also explained that they are working with the Walker family for base funding and working with groups, such as Rotary, for additional fundraising efforts. Lastly, he provided an update on the design process for the project.

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

Resolution No. 16 - Adopting the New York State Climate Smart Communities Pledge

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, the City of Watertown believes that climate change poses a real and increasing threat to our local and global environments and is primarily due to the burning of fossil fuels; and

WHEREAS, the effects of climate change will endanger our infrastructure, economy and livelihoods; harm our farms, orchards, and ecological communities, including native fish and wildlife populations; spread invasive species and exotic diseases; reduce drinking water supplies and recreational opportunities; and pose health threats to our citizens; and

WHEREAS, we believe that our response to climate change provides us with an unprecedented opportunity to save money, and to build livable, energy-independent and secure communities, vibrant innovation economies, healthy and safe schools, and resilient infrastructures; and

WHEREAS, we believe the scale of greenhouse gas (GHG) emissions reductions required for climate stabilization will require sustained and substantial efforts; and

WHEREAS, we believe that even if emissions were dramatically reduced today, communities would still be required to adapt to the effects of climate change for decades to come,

NOW THEREFORE, BE IT RESOLVED, that City of Watertown, in order to reduce greenhouse gas emissions and adapt to a changing climate, adopts the New York State Climate Smart Communities pledge, which comprises the following ten elements:

- 1) Build a climate-smart community.
- 2) Inventory emissions, set goals, and plan for climate action.
- 3) Decrease energy use.
- 4) Shift to clean, renewable energy.
- 5) Use climate-smart materials management.
- 6) Implement climate-smart land use.
- 7) Enhance community resilience to climate change.
- 8) Support a green innovation economy.
- 9) Inform and inspire the public.
- 10) Engage in an evolving process of climate action.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Pierce indicated that she requested this resolution be presented because it will start the process for the City of Watertown to become a Climate Smart Community and she listed the benefits of this. She stressed that the chief benefit is that it makes the City eligible for a number of grant opportunities for electric vehicles, charging stations and other climate related efforts. She noted that across New York State there are 350 Climate Smart Communities and mentioned a few that are located in the local to the area.

Council Member Olney expressed his support, noting that anything the City can do to make itself more eligible for grants is a positive.

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

OLD BUSINESS

A Local Law Overriding the Tax Levy Limit Established by New York General Municipal Law §3-c". *(Introduced on May 1, 2023; public hearing held this evening; appears in its entirety in the 2023 Minutes Book on page 11-12 of the 5/1/2023 minutes).*

Council Member Olney stated that he is not sure why this is needed because the projected increase is not going to exceed the limit.

Mr. Mix explained that this local law is presented as a matter of routine and put in front of Council in case there are major changes during the budget discussions. He indicated that it gives Council the option but, with this proposed budget, he does not see the need to adopt it. He added that it also gives the public an opportunity to speak on the topic.

Mayor Smith noted that it is presented for consistency, whether it is necessary or not.

At the call of the chair, a vote was taken on the foregoing Local Law and defeated with all voting nay except Council Member Patrick J. Hickey voting yea.

STAFF REPORTS

NYSDEC Municipal Separate Storm Sewer System (MS4) Annual Report

Mr. Mix explained that this annual MS4 report prepared by City staff in coordination with the Jefferson County Soil and Water Conservation District was available for Council to review. He noted that it is also available for public review and comment on the City's website.

Sales Tax History and Sales Tax Revenue by Category

Mr. Mix explained that these two reports were given to Council and discussed during a budget session, so this is an opportunity for the public to see them as well.

Sales Tax Revenue – April 2023 and Sale of Surplus Hydro-electricity – April 2023

Mr. Mix mentioned that these monthly reports were put at Council's seats prior to the meeting, but they will also appear on the agenda for the next regular meeting.

Council Member Olney thanked Mr. Mills for the reports, stating that it was very comprehensive.

At the request of Mayor Smith, Mr. Mills provided a summary of the sales tax and hydro revenue reports. He said that sales tax through the month of April on a year-to-year basis is up 2.83%, however on a budgetary basis, sales tax is down \$398,252 or 1.93%. He advised that sales tax is starting to level off in the last few months, possibly coming back to pre-Covid-type numbers. In regard to hydro revenue, he reviewed the shortage for the year-to-year basis but noted the overage on a budgetary basis is \$381,093. He said balancing the two figures leaves the City only about \$20,000 short.

NEW BUSINESS

Response to Privilege of the Floor – No Cash Policy at Golf Course

Mayor Smith asked staff to explain the policy of not accepting cash at the golf course.

Superintendent of Parks and Recreation Scott Weller explained that feedback and recommendations received from other golf courses was to only accept credit and debit cards because it is easier from an operations perspective. He added there is no need to keep cash onsite and it is safer than transporting cash back to the arena for processing.

Noting that cash is accepted at other facilities, Mr. Mix added that it is a little more secure at the arena. He explained that, because of the cost of a round of golf, a significant amount of money could accumulate, and since there may be some young park attendants handling the money, the City would rather not put them in danger or tempt them with it. He advised that staff would rather go cashless in other areas of the City as well.

Council Member Olney mentioned using a floor vault device or a token system.

Attorney Bullard commented that the City should consider that not everyone has a credit card, and the City does not want to have a golf course that is not accessible to everyone.

Council Member Pierce mentioned that there are additional fees with credit cards. She said that she would support accepting cash if a safe system could be developed.

Mayor Smith mentioned there may be a machine that someone could input their cash and receive a ticket to then play golf. He compared it to parking machines that other communities use.

Attorney Bullard reiterated his comments that the City should not limit access to the golf course based on whether you have a credit or debit card.

Response to Privilege of the Floor –Brett Street

Mayor Smith asked Mr. Mix to look into the mowing of the City-owned property behind Mr. Baker's property.

Upcoming Meetings and Recent Events

Council Member Hickey listed the following: Full Alliance meeting on May 16; Mental Health Walk, Eclipse meeting and Zoning Board of Appeals meeting on May 17, Hospice Ribbon Cutting on May 18; Holocaust Remembrance on May 19; Armed Forces Day Parade on May 20; City Council budget session on May 22; Watertown Local Development Corporation meeting on May 25; Memorial Day celebration at the American Legion on May 29, and Jefferson County Dairy Parade on June 2.

Household Hazardous Waste Collection

Council Member Hickey noted that there is a free household waste collection event on June 3 from 8 a.m. to 12 p.m. at the Jefferson County Highway Department on County Route 190 in Glen Park.

Mental Health Awareness Month

Council Member Hickey advised Council that May is Mental Health Awareness Month and added it is a time to raise awareness about those living with mental or behavioral health issues and to help reduce stigma.

Leave Behind Program by PIVOT

Council Member Hickey informed Council about a new initiative at PIVOT aimed at increasing the availability of NARCAN kits and expanding the harm reduction by leaving a kit behind at any scene of a suspected overdose. Participating agencies include City Fire and Police Departments, Jefferson County Sheriff's Department, Guilfoyle ambulance and other Jefferson County EMS. This is a free program so no costs are incurred by either the City or the County.

Build Public Renewables Act

Council Member Hickey explained for Council that the 2023-24 State Budget includes the Build Public Renewables Act, which will direct the New York Power Authority to generate all electricity from Clean Energy by the start of 2030 and this allows the Authority to build new facilities. He stated that this has importance because of the preliminary license received for hydroelectric plants near the Village of Black River and the potential for new plants being built in the City on Sewall's Island.

Trevor Project 5th Annual Suicide Survey

Council Member Hickey reported that statistics provided by the Trevor Project, the nation's leading suicide and crisis organization for LGBTQ youth, suggest that 4 in 10 LGBTQ young people ages 13-24 have seriously considered taking their lives in the past year, with nearly 1 in 5 actually attempting suicide.

Regional Development Council Resource Guide

Council Member Hickey commented that there has been a lot of discussion regarding the Consolidated Funding Application (CFA) grant applications. To assist those working on grant applications, he read from the 2022 New York State Regional Development Council Resource Guide a long list of organizations and their available funding.

Canadian Border Services

Council Member Hickey informed Council that the Canadian Border Service would like to remind boaters that they must report their entry into Canada either by phone or by reporting in person.

National Grid Emergency HEAP Bill

Council Member Hickey reported that National Grid has extended this bill until May 19 and noted ways to contact National Grid.

Donna Payant

Council Member Hickey advised Council that this was the 42nd anniversary of the death of corrections officer Donna Payant in Greenhaven Correctional Facility and detailed the events of her murder. He suggested the importance of keeping safety a priority for all people involved in emergency services, law enforcement and corrections.

Rules of Council – Special Meeting

Council Member Olney sought Attorney Bullard's interpretation of whether Privilege of the Floor would be allowed at a Special Meeting. He referred to the order of business for a Special Meeting listed within the Rules of Council and pointed out that Privilege of the Floor is not listed.

Attorney Bullard asked for specific details about Council Member Olney's question and said it would depend on not only the local rules, but also what is on the agenda. He advised that if it is a Special

Meeting, which by its very nature requires some type of public input, then it would be up to the Chair to set the parameters. He said it depends on the circumstances and what is in the best interest of the public, noting that the Chair, or how the agenda is going to be set, can determine whether or not if there is enough public interest to speak. He advised that with any public body, it would not be a good course to tell people that they cannot speak.

Council Member Olney expressed concern about a recent Special Meeting regarding the asset purchase agreement for the golf course and the public's desire to voice their opinions.

Stating he does not know the particular circumstances of the incident, Attorney Bullard advised that a public body's role is to not only legislate, but to hear from the public.

Further discussion ensued about the public's ability to speak at a Special Meeting, in particular at this recent occurrence.

Pool Bids

Council Member Olney mentioned that the pool bids are due this Thursday and stated that Council may need to hold a Special Meeting to vote on the bids since the next regularly scheduled meeting is two weeks away. He also said that he hopes other members of Council will join him in bonding for the project because it is the most practical and fiscally responsible way to fund it.

Marketing Director

Council Member Olney stated that he believes the City needs a marketing director.

Tax Stabilization Fund

Council Member Olney mentioned that the proposed budget allocates \$500,000 to the Tax Stabilization Fund and questioned the need for this. He commented that, if this was not done, there would be no need to raise taxes this year. He suggested some of this money could be used for a marketing director and marketing budget.

School Budget and School Board Election

Council Member Olney mentioned that tomorrow is the election for the Watertown City School Board and encouraged everyone to vote.

Landlord Listening Work Session

Council Member Olney mentioned the latest landlord victim of the woman known to have caused severe damage to rental units. He said there needs to be a landlord and affordable housing work session in the month of June.

List of Streets to be Paved

Council Member Olney asked for a list of the streets to be paved this year, so that the public is more aware of this work. He said he continues to hear comments that the City needs to do more with streets and infrastructure.

Mr. Mix said that a list is in the proposed budget plus outer Gotham Street, which is left from last year.

Council Member Olney said he saw a social media comment stating that Council should do something for the City taxpayers instead of spending \$3.4 million on a golf course.

Mr. Mix provided an update on some of the work being done on certain streets and the ADA ramps.

Senior Citizen Center

Council Member Olney said that he fully supports this.

Response to Privilege of the Floor

Regarding comments made about sales tax increases flattening, micromanaging what is going on in the City and the golf course not making much money, Council Member Olney said he disagrees with all of those assessments and indicated that this is a lack understanding of some people. He asked if a CitiBus was hit by another vehicle, as stated by Mr. Phillips.

Mr. Mix indicated that he was not aware of this.

Regarding comments made by Mr. Shoen about accepting the higher proposal for Burlington Street, Council Member Olney said that was done at the recommendation of staff because there was better outreach by the company.

Rules of Council – New Business – Proper Decorum – Golf Course Purchase

Attorney Bullard asked to speak and wondered, after reading the Rules of Council, what part of the meeting relates to what Council Member Olney is engaging in and if there is a limit of time that a particular Council Member can speak. He said that he has never seen in his years of experience, not only as an elected official but as an advisor for elected officials of various bodies, this type of free-flowing conversation that each Council Member is having. He asked where this fit into the respective Rules of Council, stating that it does not seem very orderly and he does not want it to evolve into debate or personal attacks between Council Members.

Mayor Smith explained that this section of the meeting has varied from year to year and Council to Council, recalling what it was like when he first came onto Council. He said he generally allows members to have their time and tries not to interrupt Council Members from talking about the issues that they want.

Council Member Ruggiero noted that in the Rules of Council there is a section for unfinished business but not new business and maybe this would be a good opportunity to revise the Rules to include guidelines for new business.

Mentioning that many things are defined in the Rules of Council, Attorney Bullard advised that there should be guidelines for new business because he has seen it devolve sometimes into improper decorum, personal attacks and politicking.

Mayor Smith asked the attorney to provide the City with some parameters to be considered for new business.

This led to a lengthy back-and-forth between Council Member Olney and Attorney Bullard on proper decorum during the meeting and behavior for an elected official.

Conversation turned to the demand letters written by Attorney Bullard to Mr. Lundy regarding the golf ball and Council Member Olney's disapproval of them, the support for and opposition to the golf course purchase, and the politics of this issue. This led to another long back-and-forth between Council Member Olney and Attorney Bullard regarding the attorney's role.

Adopt-A-Spot

Council Member Pierce thanked the people who helped plant flowers and erect flags at the traffic island located on Thompson Boulevard. She also thanked the volunteers who have adopted other spots throughout the City.

Voter Registration and Education Events

Council Member Pierce announced she would be hosting a voter registration event on May 16 from 8 a.m. to 10 a.m. at the Washington Street Stewart's, as well as a voter education event at Midtown Towers on June 7 from 4 p.m. to 6 p. m. She noted she hoped to have representatives from both CitiBus and the Board of Elections present at the Midtown event.

Ball Avenue Traffic

Council Member Pierce noted she had heard from a resident of Ball Avenue who had concerns that the construction on Pratt Street was causing traffic to use Ball Avenue as a detour and asked if anything could be done to encourage vehicles to slow down.

Landlord Listening Event

Council Member Pierce mentioned the Landlord Listening event originally scheduled at the Library last week will now be held on June 16 from 11 a.m. to 12:30 p.m. and will feature representatives from the County, State and local law enforcement. She added that she was hopeful that gathering all the people in one room could make some positive changes.

Eclipse Committee Meeting

Council Member Pierce mentioned the Eclipse meeting would be held May 17 at noon in Council Chambers. She mentioned she made a presentation to Advantage Watertown last week and it was good to get everyone up to date on the plans.

Social Media Statements by Council Member Olney / Flynn Pool Bids

Council Member Pierce addressed claims made by Council Member Olney on social media that she was "sandbagging" and working with City staff to delay the pool bid for political purposes. She denied these accusations and asked the Council Member to present proof.

Council Member Olney presented no proof.

Council Member Pierce asked that the Councilman stop making false accusations. She noted that this behavior led to in-Council bickering and was also disrespectful to staff, who Council trusts to do their jobs, to suggest that they are colluding with Council Members.

Holocaust Remembrance

Council Member Ruggiero mentioned the Holocaust Remembrance would be held at the Degel Israel Synagogue at 7 p.m. on May 19 and commented this was a very important event.

Jeff-Lewis Realtors Cleanup

Council Member Ruggiero advised that on May 24, for the fourth year in a row, the Jeff-Lewis Realtors would be doing a cleanup and beautification event at the Fort Drum Monument in Thompson Park.

National Police Week

Council Member Ruggiero noted that this was National Police Week and thanked all members of law enforcement for their service and the risky work that they do.

Armed Forces Breakfast

Council Member Ruggiero mentioned that she and Council Member Hickey had both attended the Armed Forces Breakfast on May 3 and noted it was a sold-out event.

Road Construction Progress

Council Member Ruggiero noted that she is pleased to see all the various construction projects throughout the City, particularly the addition of ADA compliant ramps on street corners. She stated this was a sign of real progress.

Senior Center Meeting

Council Member Ruggiero announced that she would be co-chairing, with Robert Avallone, the senior center meeting on June 6 from 2 p.m. to 4 p.m. at the Library. She mentioned the public is welcome and they are looking for ideas as well as lists of facilities and activities already being provided throughout the County.

Monument to Monument 5K Run to Glory

At Mayor Smith's request, Mr. Weller provided a summary of events that will take place in Thompson Park on Saturday, June 10. He said that it will be in conjunction with Healthy Kids Day and there will be a lot of activities for families.

FERC Licensing

Mayor Smith noted that, through his conversations with Major General Anderson, he learned the Army Corp of Engineers is looking at micro nuclear energy on post so that it would be well protected. He said that the 10th Mountain Division at Fort Drum would be a leader in this renewable energy.

Change of Command at Fort Drum

Mayor Smith announced that there will be a change in command for 1st BCT Commander on June 2 and he wished Colonel Brian Ducote well in his next endeavor.

Rules of Council – Golf Course

Mayor Smith explained his reasons for bringing up the Rules of Council and he provided the details of the particular Special Meeting in which Council Member Olney questioned allowing Privilege of the Floor. He discussed the powers and duties of the presiding officer and explained why he felt the public should have been allowed to speak at that meeting.

Social Media Statements by Council Member Olney

Mayor Smith stated there have been many statements of misinformation made to the public, which is disingenuous and not healthy for the atmosphere of Council. He listed as an example the accusation that Mr. Mills and City staff put together a budget for an election year and political purposes, and he

defended the staff's work as professional and claimed this accusation was false. He commented that he wished the media would hold members of Council accountable for what they say. He also read, from Council Member Olney's Facebook page, the claim that City staff "sandbagged" the pool bids at the direction of Mayor Smith and Council Member Pierce and called this a lie, stating he did not direct staff to do anything. He continued to discuss these accusations and stressed it is difficult when members of Council attack staff and accuse them, as well as Council Member Pierce and himself, on social media of falsehoods. He requested Mr. Mix explain to Council and the public why the pool bids were delayed.

Mr. Mix explained that when the questions from vendors came in, staff did the right thing for the project and delayed the bid opening for two weeks in order to receive better bids. He pointed out that this situation has happened with other projects and bids have been delayed due to the number of questions by vendors. He denied "sandbagging" this because staff made this decision without consulting him, but he stressed again that staff did the right thing. Noting that he does not need to micromanage staff on a daily basis, Mr. Mix advised that staff did what was right for the project by delaying the bid opening by two weeks.

Mentioning other claims that have been made against him, Mayor Smith adamantly denied them, and he expressed his concerns with misinformation being disseminated.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session 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 9:20 p.m.

Council reconvened at 10:05 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 10:05 p.m. until Monday, June 5, 2023, at 6:30 p.m., by motion of Council Member Sarah V.C. Pierce, seconded by Mayor Jeffrey M. Smith and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk