

**CITY COUNCIL MEETING
CITY OF WATERTOWN
December 18, 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
Kristen E. Smith, Bond, Schoeneck & King PLLC, City Attorney

City staff present: James Mills, Geoffrey Urda, Seth Bailey, Michael Lumbis, Logan Eddy, Meredith Griffin

The City Manager presented the following reports to Council:

- Resolution No. 1 - Designating Official Newspaper
- Resolution No. 2 - Approving Salary Structure and Annual Pay Increase for Watertown Housing Authority Employees
- Resolution No. 3 - Accepting Bid for Fairgrounds Grandstand Ceramic Tile Replacement Project - Powis Contracting, Inc.
- Resolution No. 4 - Approving Change Order #3 with CCI Companies, Inc. for the DRI Streetscape Design Improvements Project
- Resolution No. 5 - Approving Change Order No. 1 with EDGE Civil Corporation for the Pratt Street and Sherman Street Water Main Replacement Project
- Resolution No. 6 - Reappointing Robert D. Connell as Deputy City Constable
- Resolution No. 7 - Reappointing Patrick T. Connell as City Constable
- Resolution No. 8 - Reappointing Stephen A Jennings to Board of Ethics
- Resolution No. 9 - Reappointing Cary J. Parker to the Board of Ethics
- Resolution No. 10 - Reappointing Yvonne F. Reff to the Board of Ethics
- Resolution No. 11 - Reappointing Suzanne C Renzi-Falge to the Board of Ethics
- Resolution No. 12 - Readopting Fiscal Year 2023-24 General, Water, Sewer, Community Development, Library and Self-funded Health Insurance Fund Budgets
- Resolution No. 13 - Approving the Employment Agreement Between the City of Watertown and Henricus F. Wagenaar for the Position of City Manager
- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$1,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase of a New Fire Pumper Truck and Apparatus for use by the Fire Department, in and for Said City
- New York State Department of Environmental Conservation Urban and Community Forestry Program – Notice of Funding Opportunity
- Upcoming Oath of Office Ceremony
- Year-end Financial Report
- Amending the City of Watertown’s 2021 Community Development Block Grant Annual Action Plan
- Sale of Surplus Hydro-electricity – November 2023

- Sales Tax Revenue – November 2023

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 December 4 and work session of December 11, 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 S. G. Gates, 157 Dorsey Street, discussing his concerns with one of the appointments for City Judge and his efforts to develop a dog park at the “lookout location” within Thompson Park.

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

A claim was received from Jennifer Shear, 126 West Lyde Street, seeking reimbursement of \$1,315.01 for damages done to her vehicle while a Police Officer was pursuing a subject on November 25, 2023.

Above claim has been referred to the Board of Audit.

PRIVILEGE OF THE FLOOR

Christopher Tehonica, Carthage, spoke to Council about the softball tournament that he organizes and how it benefits the youth in the area, as well as the community. He expressed his wish for the City to assist with the cost of the event, noting that he covers some of the expenses by use of his personal funds.

Jason Traynor, 424 Arsenal Street, expressed his concerns with the expenses of the City and stated the City needs people to invest in the area and not be pushed away. He also mentioned his concerns with the funding for Thompson Park and the Zoo.

Joe Coffee, 625 Bronson Street, discussed an issue in which a City employee removed something from his property and wondered if the employee had the right to do that.

Jonathan Phillips, 735 Mill Street, noted he was pleased that the lights on Black River Parkway were repaired but expressed his concern with the replacement heads and the need to have more lighting on City streets. He also stated that the water and sewer issues should be addressed before spending money on pools and the golf course.

Robert (no last name given), offered his reflections of the year 2023 and spoke of the challenges to be addressed in the new year.

Adam Ruppe, 316 Butterfield Avenue, thanked City Manager Mix, Council Member Hickey and Mayor Smith for their service to the City.

RESOLUTIONS

Resolution No. 1 - Designating Official Newspaper

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED by the City Council of the City of Watertown, New York, that the *Watertown Daily Times* be and is hereby designated as the official newspaper of the City of Watertown, New York, for the year beginning January 1, 2024 and ending December 31, 2024.

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

Resolution No. 2 - Approving Salary Structure and Annual Pay Increase for Watertown Housing Authority Employees

Introduced by Council Member Lisa A. Ruggiero

WHEREAS in conformity with the requirements of the New York State Public Housing Law § Section 32, Sub Division 1, compensation for Watertown Housing Authority employees can be fixed only upon the approval of the local legislative body, which is the City Council of the City of Watertown, and

WHEREAS the Watertown Housing Authority has reported that it is the desire of the Watertown Housing Authority Board to authorize a four percent (4%) cost of living increase for all WHA employees effective January 1, 2024, and

WHEREAS by resolution adopted on November 28, 2023, the Watertown Housing Authority Board approved a four percent (4%) cost of living increase for all WHA employees, effective January 1, 2024, by modification to its existing salary structure,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the 2024 salary structure for all employees of the Watertown Housing Authority which contains a four (4%) cost of living increase to all employees, effective January 1, 2024, with salary structures attached and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager is hereby authorized and directed to forward a certified copy of the resolution to the Watertown Housing Authority.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith responded to Council Member Olney's question by stating the Council approves the salary increase for the Watertown Housing Authority employees due to State Law, but Council does not determine the percentage of the increase.

Michael Robare, Executive Director of Watertown Housing Authority, reviewed the process used in determining the pay increase. He stressed that the increase is well-deserved by the Watertown Housing Authority employees, noting that they are hardworking individuals.

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

Resolution No. 3 - Accepting Bid for Fairgrounds Grandstand Ceramic Tile Replacement Project - Powis Contracting, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to upgrade the shower surfaces located at the clubhouse at the main baseball field, and all other associated work, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Fairgrounds Grandstand Ceramic Tile Replacement Project, and

WHEREAS on November 30, 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 & Recreation Departments and it is their recommendation that City Council accept the lowest responsive responsible bid submitted by Powis Contracting, Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Powis Contracting, Inc. in the amount of \$27,997.00,

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. 4 - Approving Change Order #3 with CCI Companies, Inc. for the DRI Streetscape Design Improvements Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Engineering Department has received Change Order #3 for the Downtown Revitalization (DRI) Streetscape Design Improvements Project from CCI Companies, Inc., and

WHEREAS CCI Companies, Inc.'s original contract price at the time of award was \$3,647,704.75, and

WHEREAS the City Council has previously approved two change orders to the original contract in the amounts of \$20,612.42 and \$111,959.49, and

WHEREAS CCI Companies, Inc. has prepared Change Order #3 for City Council consideration in the amount of \$283,608.50, to cover an increase in the project cost due to quantity overruns on several line items in the contract, and

WHEREAS the City Engineering Department has reviewed the change order and recommends that the City Council accept the change order submitted by CCI Companies, Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order #3 for the Watertown Streetscape Design Improvements Project in the amount of \$283,608.50, a copy of which is attached and made part of this resolution, and accepts the revised Contract Agreement total sum in the amount of \$4,063,885.16 and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign the change order and contracts associated with implementing the revised Contract Agreement with CCI Companies, Inc.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mr. Mix responded to Council Member Olney's questions regarding the change order and noted that any contractor bidding on the project would have incurred the same issues causing the change order. He added that, going into the new year, they felt it was a good time to reconcile some of the line items, noting that some were underbudget and some were overbudget.

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

Resolution No. 5 - Approving Change Order No. 1 with EDGE Civil Corporation for the Pratt Street and Sherman Street Water Main Replacement Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS at its April 03, 2023, meeting, the City Council approved a bid from EDGE Civil Corporation in the amount of \$939,520.00 for the Pratt Street and Sherman Street Water Main Replacement Project, and

WHEREAS unexpected construction costs and labor were calculated at the end of construction, and needs to be addressed before the final payment for this project can be issued, and

WHEREAS EDGE Civil Corporation has now submitted Change Order No. 1 in the amount of \$10,692.11,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 1 with EDGE Civil Corporation in the amount of \$10,692.11, a copy of which is attached and made part of this Resolution, bringing the total final contract amount to \$950,212.11, and

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

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

Resolution No. 6 - Reappointing Robert D. Connell as Deputy City Constable

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed as City Constable for the City of Watertown for a one-year term expiring on December 31, 2024:

Patrick T. Connell
173 Bowers Avenue
Watertown, New York 13601

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

Resolution No. 7 - Reappointing Patrick T. Connell as City Constable

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed as Deputy City Constable for the City of Watertown for a one-year term expiring on December 31, 2024:

Robert D. Connell
115 Fairmont Avenue
Watertown, New York 13601

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

Resolution No. 8 - Reappointing Stephen A Jennings to Board of Ethics

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2024:

Stephen A. Jennings
219 Green Street
Watertown, NY 13601

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney mentioned the ethics complaint against him and expressed his concern that the Ethics Board did not do their due diligence and allow him an opportunity to present his defense, which would include evidence that he would have presented. He indicated that he would be voting against each reappointment resolution for that reason.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Clifford G. Olney III and Council Member Lisa A. Ruggiero voting nay.

Resolution No. 9 - Reappointing Cary J. Parker to the Board of Ethics

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2024:

Cary J. Parker
212 North Orchard Street
Watertown, New York 13601

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea except Council Member Clifford G. Olney III voting nay.

Resolution No. 10 - Reappointing Yvonne F. Reff to the Board of Ethics

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2024:

Yvonne F. Reff
621 Frontenac Street
Watertown, New York 13601

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea except Council Member Clifford G. Olney III voting nay.

Resolution No. 11 - Reappointing Suzanne C Renzi-Falge to the Board of Ethics

Introduced by Council Member Lisa A. Ruggiero

BE IT RESOLVED that the following individual is hereby reappointed to the Board of Ethics for a one-year term expiring on December 31, 2024:

Suzanne C. Renzi-Falge
825 Holcomb Street
Watertown, NY 13601

Seconded by Council Member Sarah V.C. Pierce and carried with all voting yea except Council Member Clifford G. Olney III voting nay.

Resolution No. 12 - Readopting Fiscal Year 2023-24 General, Water, Sewer, Community Development, Library and Self-funded Health Insurance Fund Budgets

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on June 5, 2023 the City Council adopted the budget for Fiscal Year 2023-24 and

WHEREAS on June 5, 2023 the City Council as part of the budget established the Fiscal Year 2023-24 monthly health insurance premiums to be to be \$785.88 for individual plans and \$1,760.37 for family plans, and

WHEREAS medical claims and prescription costs in Fiscal Year 2023-24 have exceeded projections causing fiscal stress on the Self-funded Health Insurance Fund,

NOW BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General, Water, Sewer, Community Development, Library and Self-funded Health Insurance Funds Budgets for Fiscal Year 2023-24 and makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

Revenues

A	2801	Interfund Revenue	\$	1,461
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A	4589		Federal Transportation Assistance	<u>\$ 8,869</u>
	Subtotal			\$ 10,330
			Appropriated Fund Balance	<u>\$ 907,167</u>
	Total			<u><u>\$ 917,497</u></u>
	<u>Expenditures</u>			
A	1230	850	Health Insurance	\$ 4,043
A	1315	850	Health Insurance	\$ 3,246
A	1345	850	Health Insurance	\$ 4,383
A	1355	850	Health Insurance	\$ 2,244
A	1410	850	Health Insurance	\$ 5,162
A	1430	850	Health Insurance	\$ 2,139
A	1435	850	Health Insurance	\$ 2,353
A	1440	850	Health Insurance	\$ 7,919
A	1490	850	Health Insurance	\$ 5,243
A	1620	850	Health Insurance	\$ 2,124
A	1640	850	Health Insurance	\$ 11,781
A	1680	850	Health Insurance	\$ 9,633
A	1990	430	Contracted Services	\$ 1,623
A	3120	850	Health Insurance	\$ 112,420
A	3410	850	Health Insurance	\$ 123,537
A	3620	850	Health Insurance	\$ 5,372
A	5010	850	Health Insurance	\$ 6,402
A	5110	850	Health Insurance	\$ 12,979
A	5142	850	Health Insurance	\$ 16,722
A	5184	850	Health Insurance	\$ 863
A	5186	850	Health Insurance	\$ 1,342
A	5630	850	Health Insurance	\$ 16,125
A	7020	850	Health Insurance	\$ 3,675
A	7110	850	Health Insurance	\$ 3,488
A	7140	850	Health Insurance	\$ 1,430
A	7141	850	Health Insurance	\$ 2,562
A	7180	850	Health Insurance	\$ 135
A	7190	850	Health Insurance	\$ 1,674
A	7265	850	Health Insurance	\$ 2,952
A	8020	850	Health Insurance	\$ 5,379
A	8140	850	Health Insurance	\$ 8,428
A	8160	850	Health Insurance	\$ 7,156
A	9060	800	Health Insurance - Retirees	\$ 494,209
A	9512	900	Transfer to Library Fund	<u>\$ 28,754</u>
	TOTAL			<u><u>\$ 917,497</u></u>

COMMUNITY DEVELOPMENT FUND

Revenues

CD	4940	8618	CDBG - 2023 Entitlement	\$ 1,043
	Total			<u>\$ 1,043</u>

Expenditures

CD	8668	850	Health Insurance	\$ 1,043
	Total			<u>\$ 1,043</u>

WATER FUND

Revenues

F	2143		Outside User Fees	\$ 3,654
	Subtotal			\$ 3,654
			Appropriated Fund Balance	<u>\$ 77,210</u>
	Total			<u>\$ 80,864</u>

Expenditures

F	8310	850	Health Insurance	\$ 4,041
F	8330	850	Health Insurance	\$ 12,984
F	8340	850	Health Insurance	\$ 17,472
F	9060	800	Health Insurance - Retirees	\$ 45,880
F	9510	900	Transfer to General Fund	<u>\$ 487</u>
	TOTAL			<u>\$ 80,864</u>

SEWER FUND

Revenues

G	2370		Sewer Rents-Governments	\$ 7,078
	Subtotal			\$ 7,078
			Appropriated Fund Balance	<u>\$ 57,159</u>
	Total			<u>\$ 64,237</u>

Expenditures

G	8110	850	Health Insurance	\$ 4,041
G	8120	850	Health Insurance	\$ 9,168
G	8130	850	Health Insurance	\$ 26,970
G	9060	800	Health Insurance - Retirees	\$ 23,084
G	9510	900	Transfer to General Fund	<u>\$ 974</u>
	Total			<u>\$ 64,237</u>

LIBRARY FUND

Revenues

L	5031	Interfund Transfer	\$ 28,754
	Total		<u>\$ 28,754</u>

Expenditures

L	7410	850	Health Insurance	\$ 16,127
L	9060	800	Health Insurance - Retirees	<u>\$ 12,627</u>
	Total			<u>\$ 28,754</u>

SELF FUNDED HEALTH INSURANCE FUND

MS	1270	Shared Service Charges	\$ 625,054
MS	2680	Insurance Recovery	\$ 200,000
MS	2700	Medicare Part D Reimbursement	\$ 55,000
MS	2701	Refund of Prior Years Expenditures	\$ 1,000
MS	2708	Payroll Deduction	\$ 49,117
MS	2709	Employee Contributions	\$ 57,638
MS	2771	Prescription Reimbursement	<u>\$ 480,000</u>
	Subtotal		\$ 1,467,809
		Appropriated Fund Balance	<u>\$ 176,107</u>
	Total		<u>\$ 1,643,916</u>

Expenditures

MS	1710	850	Health Insurance	\$ 1,925
MS	9060	430.0020	Non-pharmacy Claims	\$ 1,273,551
MS	9060	430.0030	Pharmacy Claims	<u>\$ 368,440</u>
				<u>\$ 1,643,916</u>

And,

BE IT RESOLVED that the City Council of the City of Watertown hereby establishes the monthly health insurance premiums to be \$982.35 for individual plans and \$2,200.46 for family plans effective January 1, 2024.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Mayor Smith noted that this unexpected increase to the health insurance expenses is an example as to why the City needs a healthy fund balance.

In response to Council Member Olney's questions regarding what caused this significant increase in expenditures, City Comptroller James Mills explained that the actual data was reviewed by the Human

Resources Manager and Benefits Administrator and that it appears to be trending upward in comparison to prior years.

Council Member Olney asked if the City has considered other ways to provide health insurance besides a self-funded plan.

Mr. Mills noted it would be more costly to use a market insurance company plan and the change would need to be negotiated with the collective bargaining agreements.

Mayor Smith agreed, stating that suggestion had been analyzed in the past and it resulted in a higher expense.

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

Resolution No. 13 - Approving the Employment Agreement Between the City of Watertown and Henricus F. Wagenaar for the Position of City Manager

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council desires to employ Henricus F. Wagenaar as City Manager, and

WHEREAS an employment agreement for the term from December 30, 2023 to December 29, 2025 has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the agreement between Henricus F. Wagenaar and the City of Watertown, a copy of which is attached and made part of this resolution.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Olney questioned the need for Section 13 of the contract, which he said was a carryover from the current City Manager contract and pertains to the City Manager's responsibility to report to the Mayor and the senior Council Member. He wondered if it conflicted with the City Charter since the obligation of the City Manager should be to report to the City Council as a whole.

Attorney Smith said she is not aware of a provision in the Charter that dictates this and noted that this section of the contract seems to be an operational preference. She said she could look at it further.

Mayor Smith provided the history of this section being added to the current City Manager's contract when he wanted to vacate the position last year due to an issue with Council Member Olney. He said that Council Member Ruggiero and he worked with the former City Attorney to develop this language for the contract at that time.

Council Member Olney said he agreed with it being added at the time for Mr. Mix and he further discussed the issues occurring last year when this language was put into the current City Manager's contract. He stated that he feels this is a new manager and new Council, so he does not feel it is necessary and he strongly disagrees with the language of Section 13.

Council Member Pierce pointed out that Mr. Mix routinely reports back to the Council as a whole currently and she explained that the language in the contract only indicates the minimum requirement.

Mayor Smith rebutted a statement made by Council Member Olney in regard to why the language was added.

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

ORDINANCES

Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$1,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Purchase of a New Fire Pumper Truck and Apparatus for use by the Fire Department, in and for Said City

Introduced by Council Member Lisa A. Ruggiero

An Ordinance Authorizing the Issuance of \$1,100,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs Of the ~~Reconstruction of the William J. Flynn Municipal Swimming Pool and Rehabilitation of The Bathhouse~~ Purchase of a New Fire Pumper Truck and Apparatus for use by the Fire Department, in and for Said City.

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

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

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

Section 1. For the specific object or purpose of paying the cost of the purchase of a new fire pumper truck and apparatus for use by the Fire Department, in and for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued \$1,100,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$1,100,000 and that the plan for the financing thereof is by the issuance of the \$1,100,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is twenty years, pursuant to subdivision twenty-seven of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal

officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

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

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

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as the City Comptroller shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the City Comptroller shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 9. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 10. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 11. This ordinance, which takes effect immediately, shall be published in full in summary in the *Watertown Daily Times*, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded by Council Member Sarah V.C. Pierce

Motion for unanimous consent moved by Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

Mr. Mix explained that the City is facing significant price increases for the purchase of the fire truck so staff thought it was best to bring this forward now so that the order could be placed.

Motion was made by Council Member Lisa A. Ruggiero to amend the foregoing ordinance in order to correct the first paragraph of the ordinance. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

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

STAFF REPORTS

New York State Department of Environmental Conservation Urban and Community Forestry Program – Notice of Funding Opportunity

A report was given to Council explaining a grant opportunity and Council agreed to allow staff to proceed with an application.

Upcoming Oath of Office Ceremony

A report was available for Council to review.

Year-end Financial Report

A report was available for Council to review.

Amending the City of Watertown's 2021 Community Development Block Grant Annual Action Plan

Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing for Tuesday, January 16, 2024 at 7:15 p.m. in order to solicit public comments on the proposed amendment to the

City's 2021 CDBG Annual Action Plan. Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

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

A report was available for Council to review.

NEW BUSINESS

Recognition of Council Member Hickey, Mayor Smith, and City Manager Mix

Mayor Smith recognized Council Member Hickey for his time on Council and Mr. Mix for his service to the City as the City Manager. He presented them both with certificates and gifts.

During her portion of New Business, Council Member Pierce honored Council Member Hickey and Mayor Smith with additional recognition and gifts.

Throughout New Business, other Council Members offered words of appreciation and gratitude to Council Member Hickey, Mayor Smith and Mr. Mix for their time, commitment and years of service given to the City of Watertown and the community.

State Pollutant Discharge Elimination System (SPDES) General Permit

Council Member Hickey informed Council that this permit for stormwater discharges from municipal separate storm sewer systems has been updated and becomes effective on January 3, 2024.

Hydroelectric Development Projects

Council Member Hickey presented a list of proposed hydroelectric projects in various stages of the application process with the Federal Energy Regulatory Commission (FERC). They are Great Mills Hydroelectric Project in the village of Black River, Bagley & Sewall Hydroelectric Project by Convalt Energy and Sewall's Island Hydro Project by LinkPast Solutions. Council Member Hickey noted that the Convalt project had been rejected by FERC and advised Council that it is his opinion that the City should terminate both of Convalt's contracts.

EMS Calls

Council Member Hickey informed Council of six recent EMS calls for drug overdoses and cautioned that there is a large problem in the City which needs to be addressed and suggested the incoming Council take up this cause.

Council Member Hickey's Farewell

Council Member Hickey thanked City management and employees, as well as fellow City Council members plus the press and the public who supported him in his tenure on Council. He noted it had been an honor and a privilege to serve the Watertown community.

Ethics Complaint Against Council Member Olney

Council Member Olney readdressed the ethics complaint filed against him, mentioning details within the complaint, and asked questions of the City Attorney regarding appropriateness of executive session discussions and the release of the details of the complaint to the public and the Council Members-elect.

Attorney Smith noted that Council Member Olney had important questions but stated that it would not be appropriate for her to give a legal opinion at this time. She added that the Council Members-elect would be entitled to the details of the complaint once they are sworn into office.

Zoo Task Force Meeting

Council Member Pierce provided an update about the recent Zoo Task Force meeting and announced the next meeting would be January 18 at 3:00 p.m.

Solar Eclipse Meeting

Council Member Pierce noted that the committee would begin to meet twice a month as the event gets closer and mentioned that the budget will need to be looked at because there will be a cost to provide transportation from two parking areas within the City.

Ethics Complaint Against Council Member Olney (continued)

Council Member Ruggiero mentioned that she is concerned that the Ethics Boards did not review the transcript of the Supreme Court Case, in which Judge McClusky rendered a decision, or review the purchase agreement for the golf course.

Recent Meetings

Council Member Ruggiero announced that she attended the recent Zoo Task Force meeting and Friends of Thompson Park meeting. She noted that Mr. Mix was appointed the president for the Friends of Thompson Park.

Mayor Smith's Farewell

Mayor Smith reflected upon his time on Council, both as a Council Member and Mayor. He mentioned a lengthy list of people that he said helped him along the way and offered his appreciation to each. He also reviewed his accomplishments while in office as Mayor, stating he proudly achieved many of his campaign goals.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:56 p.m. by motion of Council Member Lisa A. Ruggiero , seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof except for Mayor Jeffrey M. Smith voting nay.

Ann M. Saunders
City Clerk