CITY COUNCIL MEETING
CITY OF WATERTOWN
August 3, 2026
7:00 p.m.

Mayor Sarah V.C. Pierce Presiding

Present: **Council Member Shane A. Garrabrant**
Council Member Robert O. Kimball
Council Member Douglas E. Osborne, Jr.
Council Member Benjamin P. Shoen
Mayor Sarah V.C. Pierce

Also Present: **Eric F. Wagenaar, City Manager**
Joseph V. Frateschi, Harrison Beach Murtha, City Attorney

City staff present: Erica Anderson, James Mills, Brian MacCue, Aaron Harvill, Michael Lumbis, Geoffrey Urda

The City Manager presented the following reports to Council:

- Resolution No. 1 - Accepting Bid #2026-17 for Lift Stations Standby Generator Installation Project – Phase 3, ENI Mechanical, Inc.
- Resolution No. 2 - Readopting Fiscal Year 2026-27 through 2030-31 Capital Fund Budget to Add Purchase of a Department of Public Works Water Truck
- Resolution No. 3 - Finding that Designating the Zoning Classification of VL-3 Waterman Drive, Parcel Number 9-43-114.000, as Industrial Will Not Have a Significant Impact On the Environment
- Resolution No. 4 - Finding that Amending Municipal Code § 310: Zoning Will Not Have a Significant Impact on the Environment
- Resolution No. 5 - Approving a Three-Year Extension of the Hydroelectric Operations and Maintenance Agreement with Ampersand New York Operations Company, LLC
- Tabled Resolution - Approving a One-Year Extension of the Hydroelectric Operations and Maintenance Agreement with Ampersand New York Operations Company, LLC
- Ordinance No. 1 - Designating the Zoning Classification of a VL-3 Waterman Drive, Parcel Number 9-43-114.000 as Industrial
- Ordinance No. 2 - Amending City Municipal Code § 310, Zoning

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of July 20, 2026 was dispensed and accepted as written by motion of Council Member Robert O. Kimball, seconded by Council Member Benjamin P. Shoen and carried with all voting in favor thereof.

C O M M U N I C A T I O N S

An email was received from Debbie Dermady, 118 Seymour Street, questioning the cost for the demolition of the building located on JB Wise Place and discussing the decision to not open the Flynn Pool every day throughout the summer.

An email was received from Cliff Olney, 847 Washington Street, with suggestions on how to repair the recently damaged marble fence in front of the Flower Memorial Library, as well as recommendations for how to clean the remaining marble fencing.

PRIVILEGE OF THE FLOOR

Karen McGuiness, 409 Grove Street, expressed concerns regarding current bus policies and accessibility. She discussed her dissatisfaction with the regulations regarding carry-on items while pointing to the use of her walker, as well as her financial barriers preventing the use of paratransit services, and her desire for seating arrangements that provide greater comfort while riding the bus with what she called her "buggy."

Jonathan Phillips, 735 Mill Street, shared several concerns related to public transportation, bus regulations, pedestrian safety, newly enacted ebikes laws, grass clipping in the road and the City's maintenance of overgrown grass on Bradley Street.

Hannah Sherill, lives outside of Watertown, spoke as a parent of children participating in youth sports at the Municipal Arena, noting friction among organizations due to limited available ice time, and identifying the lack of a formal scheduling system as a contributing factor. She explained that delays in finalizing ice contracts have led to lower participation and frustration amongst those utilizing these local programs. She proposed a formal policy for Council to review in hopes to address these concerns before the season starts.

Jennifer Hess, parent of children who utilize Watertown Municipal Arena, expressed support for adopting a formal scheduling policy, voiced concerns regarding the amount of time allocated to Power Play Sports, and stated that the arena should prioritize serving residents and community organizations before outside groups.

Ginger Sherill, President of Watertown Hockey Association, addressed concerns regarding arena scheduling and community access. She requested restoration of the original operating hours for the ice schedule, highlighted the benefits that longstanding local programs provide to the community, and clarified that the association is not opposed to Power Play Sports but believes expansion should not come at the expense of established community organizations. She encouraged the creation of additional opportunities to expand programming while continuing to support existing local organizations.

PUBLIC HEARING

At 7:15 p.m. Mayor Pierce asked the City Clerk to read the notice of Public Hearing concerning an Ordinance - Designating the Zoning Classification of a VL-3 Waterman Drive, Parcel Number 9-43-114.000 as Industrial.

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

No one spoke.

Mayor Pierce declared the hearing closed at 7:16 p.m.

At 7:16 p.m. Mayor Pierce asked the City Clerk to read the notice of Public Hearing concerning an Ordinance - Amending City Municipal Code § 310, Zoning.

Mayor Pierce declared the hearing open at 7:16 p.m.

No one spoke.

Mayor Pierce declared the hearing closed at 7:17 p.m.

R E S O L U T I O N S

Resolution No. 1 - Accepting Bid #2026-17 for Lift Stations Standby Generator Installation Project – Phase 3, ENI Mechanical, Inc.

Introduced by Council Member Robert O. Kimball

WHEREAS the City desires to contract with a qualified vendor to supply all labor, materials, and equipment to install and connect entire standby generator systems, with transfer switches, at three (3) sites per departmental specifications, and

WHEREAS the Purchasing Department advertised and received three (3) sealed bids for the Lift Stations Standby Generator Installation Project – Phase 3, and

WHEREAS on July 7, 2026, at 11:30 a.m. the bids received were publicly opened and read, and

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the base bid received from ENI Mechanical, Inc. in the amount of $156,400.00, and

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

Seconded by Council Member Benjamin P. Shoen

Prior to the vote on the foregoing resolution, Council Member Kimball noted Council has seen several generator projects and wondered if there would be more after this one.

Water Superintendent Aaron Harvill responded that this replacement will probably be the last one for now and that the lifespan of the generator may be up to 20 years.

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

Resolution No. 2 - Readopting Fiscal Year 2026-27 through 2030-31 Capital Fund Budget to Add Purchase of a Department of Public Works Water Truck

<u>Introduced by Council Member Robert O. Kimball</u>

WHEREAS on May 21, 2026 the City Council adopted the Fiscal Years 2026-27 through 2030-31 Capital Budget, and

WHEREAS the Department of Public Work's current 1985 water truck is being decommissioned due to its condition, and

WHEREAS the purchase of the water truck is an allowable expenditure under the Consolidated Local Streets and Highway Improvement Program (CHIPs),

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the Fiscal Year 2026-27 through 2030-31 Capital Budget to add the purchase of a water truck for the Department of Public Works at an estimated cost of $150,000 to be funded by the Consolidated Local Streets and Highway Improvement Program (CHIPs).

<u>Seconded by Council Member Benjamin P. Shoen</u>

Prior to the vote on the foregoing resolution, Council Member Shoen expressed concern regarding the auction list at the last meeting not specifying one of the vehicles was the water truck and that it was being sold with the intent of purchasing a new one. He said he feels Council should have been informed of this information. He also inquired about the feasibility of using a plastic water tank in the back of a truck currently owned by the City instead of purchasing a new vehicle. He commented that the City should be shrinking the size of its fleet instead of growing it.

Council Member Garrabrant asked how operations were being done since the water truck is not in use at the moment.

Superintendent of Public Works Brian MacCue explained that his staff is currently using a fire hose, but it does not meet the department needs for everything and sometimes the equipment cannot access a nearby fire hydrant. He also explained that some applications, such as street cleaning, cannot use fire hydrants. He responded to Council Member Garrabrant's question regarding the priority of this vehicle, stating that this truck is used for multiple purposes, such as road construction and street cleaning.

Council Member Osborne asked how much of CHIPs funding would be allocated to this purchase, and he noted that he would prefer CHIPs funding go towards streets.

City Manager Wagenaar replied that the full amount would be covered by CHIPs and indicated that this piece of equipment supports the operation of street maintenance and repairs, so it qualifies for CHIPs.

In response to Mayor Pierce's inquiry about whether Council Member Shoen's suggestion would be feasible, Mr. MacCue reviewed the concerns of using the plastic tank and said he felt that a water truck was the best option.

Council Member Shoen further expressed his opinion that this piece of equipment is not needed.

<u>At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Douglas E. Osborne, Jr. and Council Member Benjamin P. Shoen voting nay.</u>

<u>Resolution No. 3 - Finding that Designating the Zoning Classification of VL-3 Waterman Drive, Parcel Number 9-43-114.000, as Industrial Will Not Have a Significant Impact On the Environment</u>

<u>Introduced by Council Member Robert O. Kimball</u>

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance to designate the approved zoning classification of VL-3 Waterman Drive, Parcel Number 9-43-114.000, as Industrial, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance constitutes such an "Action," and

WHEREAS the City Council has determined that the proposed Ordinance is an "Unlisted Action" as that term is defined by 6NYCRR Section 617.2 (al), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2 (t), and

WHEREAS to aid the City Council in its determination as to whether the proposed zoning designation will have a significant impact on the environment, Staff has completed Part 1 of a Short Environmental Assessment Form, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zoning designation will not have a significant impact on the environment.

2. The Mayor of the City of Watertown is authorized to execute Part 3 of the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.

3. This Resolution shall take effect immediately.

<u>Seconded by Council Member Benjamin P. Shoen</u>

Prior to the vote on the foregoing resolution, Council considered Part II of the Short Environmental Assessment Form.

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

<u>Resolution No. 4 - Finding that Amending Municipal Code § 310: Zoning Will Not Have a Significant Impact on the Environment</u>

<u>Introduced by Council Member Robert O. Kimball</u>

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance to amend two sections of § 310: Zoning of the City Code, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Quality Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the adoption of the proposed ordinance constitutes such an "Action," and

WHEREAS the City Council has determined that the proposed Ordinance is an "Unlisted Action" as that term is defined by 6NYCRR Section 617.2 (al), and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2 (t), and

WHEREAS to aid the City Council in its determination as to whether the proposed zoning designation will have a significant impact on the environment, Staff has completed Part 1 of a Short Environmental Assessment Form, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zoning designation will not have a significant impact on the environment.

2. The Mayor of the City of Watertown is authorized to execute Part 3 of the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.

3. This Resolution shall take effect immediately.

<u>Seconded by Council Member Benjamin P. Shoen</u>

Prior to the vote on the foregoing resolution, Council considered Part II of the Short Environmental Assessment Form.

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

<u>Resolution No. 5 - Approving a Three-Year Extension of the Hydroelectric Operations and Maintenance Agreement with Ampersand New York Operations Company, LLC</u>

<u>Introduced by Council Member Robert O. Kimball</u>

WHEREAS the City of Watertown entered into a Hydroelectric Operations and Maintenance Agreement with Ampersand New York Operations Company, LLC, effective July 1, 2023, for a three-year term ending on June 30, 2026, and

WHEREAS the agreement provides the City with the option to extend the contract for an additional one (1), two (2) or three (3) years upon term and fees agreed to by the parties, and

WHEREAS City staff has negotiated a three (3) year extension of the agreement through June 30, 2029, to ensure a predictable rate structure that can be incorporated into future budgets while ensuring continuity in the operation and maintenance of the City's hydroelectric facility, and

WHEREAS the City Manager has recommended approval of the proposed three-year agreement extension with Ampersand New York Operations Company, LLC.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the three-year extension of the Hydroelectric Operations and Maintenance Agreement with Ampersand New York Operations Company, LLC for the period of July 1, 2026 through June 30, 2029, a copy of which is attached and made part of this resolution, and

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

<u>Seconded by Council Member Benjamin P. Shoen</u>

Prior to the vote on the foregoing resolution, Council Member Garrabrant said he is struggling with what would be the best option for the City taxpayers in terms of the proposed rates for a three-year contract or a one-year contract to provide the City time to do an RFP. He asked if it was possible to agree to the new proposed rate of 10% for one-year without agreeing to the two additional years at 6%.

Mr. Wagenaar said Council could agree to a one-year, but staff's recommendation is for a three-year contract for continuity purposes. He added that history showed that other companies bid higher than Ampersand did during the last RFP process.

Mr. Harvill agreed that the City could do the one-year contract but he noted there are only a small number of companies that have this level of expertise and not all are located in the local area. He said Ampersand is a local company, which makes them available 24/7 and they have experience with the City's hydro plant for over 20 years. He said his professional opinion is that the City continue with Ampersand for facility operations.

Council Member Garrabrant asked if there is a way to have Ampersand help with developing standard operating procedures (SOPs).

Mr. Harvill indicated that Ampersand is already working towards that goal.

Council Member Osborne expressed his concerns with the delay in renewing this contract prior to it expiring in June. He noted that an RFP would be a competitive process which would give Council options to compare and mentioned that other companies may already have SOPs developed and in place. He said he supports a one-year contract with Ampersand to allow time for an RFP to be conducted.

Council Member Kimball asked if the consultant working on other issues with the hydro facility expressed a position regarding this contract.

Mr. Harvill explained that the consultant has seen the contract that was in place and offered some recommendations in regard to the upcoming years' operations. He also pointed out that, with the RFP done three years ago, Ampersand was the lowest proposal.

Council Member Kimball advised that he was in favor of the three-year contract as it was presented.

In response to Council Member Osborne's question, Mr. Wagenaar explained that the FERC relicensing and review of the termination of the power purchase agreement will begin next year, which will be in the middle of the three-year contract.

Further discussion occurred regarding the short notice given to Council to decide on this contract because the contract had already expired in June and Mr. Wagenaar discussed the operational changes that would be occurring to prevent this in the future and with other contracts.

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

OLD BUSINESS

Tabled Resolution - Approving a One-Year Extension of the Hydroelectric Operations and Maintenance. *(Introduced on July 20, 2026; tabled; appears in its entirety in the 2026 Minutes Book on page 4-5 of the 7/20/2026 minutes)*.

Motion was made by Council Member Robert O. Kimball to take the foregoing resolution from the table. Motion was seconded by Council Member Benjamin P. Shoen and carried with all voting in favor except for Council Member Shane A. Garrabrant voting nay.

Motion was made by Council Member Robert O. Kimball to withdraw the prior introduction and second on the foregoing resolution. Motion was seconded by Council Member Benjamin P. Shoen and carried with all voting in favor thereof.

Ordinance No. 1 - Designating the Zoning Classification of a VL-3 Waterman Drive, Parcel Number 9-43-114.000 as Industrial. *(Introduced on July 20, 2026; public hearing held this evening; appears in its entirety in the 2026 Minutes Book on page 10 of the 7/20/2026 minutes)*.

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

Ordinance - Amending City Municipal Code § 310, Zoning. *(Introduced on July 20, 2026; public hearing held this evening; appears in its entirety in the 2026 Minutes Book on page 11 of the 7/20/2026 minutes)***.**

In regard to changing the requirement for EV chargers, Council Member Garrabrant explained that he requested this due to the added expense to businesses and developers. He noted that the City needs to attract more businesses and development and this change may help.

Council Member Shoen agreed that this requirement was a significant cost and may drive businesses away from the City. He said the City should not be involved in this matter and zoning should not discourage development.

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

S T A F F R E P O R T S

There were no staff reports presented.

N E W B U S I N E S S

Thompson Park Golf Course
Council Member Garrabrant recognized Thompson Park Golf staff for their maintenance of the course. He reported that the golf course was featured on GroupGolfer last Monday and Tuesday and 401 vouchers were purchased.

Flynn Pool
Council Member Garrabrant addressed the discussion that occurred at the last meeting regarding opening the pool for all seven days and he noted that reducing hours of the Flynn pool was a difficult decision made during the budget process. He voiced that he is not in support of that and argued that it would not be worth adding funds this late in the season.

August Work Session
Council Member Garrabrant noted that his Clean Watertown Initiative pertaining to the City's refuse program and a city-wide reassessment is slated to be discussed at the next work session.

Lease of the Director's House at the Zoo
Council Member Garrabrant asked if the lease of the director's house on the Zoo property would come to a vote for Council.

Mr. Wagenaar said that it would not because it is part of the sub-agreement with the Conservancy because they control the property. He noted that the City Attorney did review the proposal and he advised that the City stipulate they pay utilities.

Council Member Garrabrant said he is in support of this, viewing it as in-kind service that the City can provide the Zoo for additional revenue.

North Star Health Alliance
Council Member Garrabrant discussed the potential of a resolution in support of continuing Department of Health funding until they can find a partner. He said he has heard from many people stating it is difficult to make appointments with medical providers due to the closure of affected medical services.

Response to Privilege of the Floor – Citibus Operations
Council Member Kimball responded to residents' concerns regarding the recent enforcement of Citibus policies. He stressed that it is not "us against you" and that, with the growing safety issues, the bus needs to be safe for everyone.

Police Chief Retirement and Appointment
Council Member Kimball recognized the successful Police Chief Retirement Ceremony for Charles Donoghue and the appointment of Cristin Lyon as the department's first female Police Chief.

Library Marble Balustrade/Fence
Mentioning the recent damage to the marble fence in front of the Library, Council Member Kimball stated that it appeared to have prior damage and he is not sure it was a result of vandalism, but it needs to be fixed.

North Star Health Alliance (continued)
Council Member Kimball stated that it is a shame this situation has reached this level despite the amount of funding which was given by the State Health Department. He does not feel a resolution would help but it could offer support to those affected, such as the nurses, drivers, and aides who have lost their jobs.

Response to Privilege of the Floor – Citibus Operations (continued)
Council Member Osborne commented that these rules have been in place and have been taken advantage of for a long time.

City Manager Wagenaar stated that staff is riding the bus regularly to see the impacts and will continue to investigate those special needs.

Response to Privilege of the Floor – Arena Ice Time
Council Member Osborne agreed there needs to be a policy for distributing ice time at the arena which will address everyone's needs.

Mr. Wagenaar advised that this will be discussed at the next work session.

Block Party
Council Member Osborne discussed the success of the downtown Block Party and noted that the presence of Police and Fire personnel make for a safe environment.

JB Wise Demolition
Council Member Shoen asked if this demolition project is completed and wondered why the construction fence remained around the area, especially in the roadway.

Mr. Wagenaar stated that he believes the City is waiting for National Grid, but he will look into having the fence moved back from the roadway.

Intersection of Thompson Boulevard and Franklin Street

Council Member Shoen mentioned the road work being done at this intersection and wondered why there has been a delay in paving it. He noted that it is a busy intersection and he would like the City to make this a priority.

Public Safety – State Street Market

Council Member Shoen expressed concerns regarding individuals congregating near State Street Market, including open containers and delayed police response times. He suggested relaying calls to the State Police when City Police are unable to respond promptly, emphasizing that local businesses deserve timely protection.

City Property Taxes

Council Member Shoen reminded the public that City tax bills are due on August 5.

Police Chief Retirement and Appointment (continued)

Mayor Pierce also congratulated Charles Donoghue for his retirement as Police Chief and Cristin Lyon for her appointment as the first female Police Chief. She thanked staff for their efforts putting together the ceremonies.

Response to Privilege of the Floor – Citibus Operations (continued)

Mayor Pierce thanked Ms. McGuiness for bringing her concerns to Council and she voiced support for implementing flexibility for bus regulations.

Response to Privilege of the Floor – Arena Ice Time (continued)

Mentioning that this will be discussed further at the August work session, Mayor Pierce agreed the City should have a standard policy.

North Star Health Alliance (continued)

Mayor Pierce mentioned that a letter to the Department of Health explaining the impact on constituents could be beneficial.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:26 p.m. by motion of Council Member Robert O. Kimball, seconded by Council Member Benjamin P. Shoen and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk