

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
April 6, 2020  
7:00 p.m.**

**Mayor Jeffrey M. Smith Presiding**

**Present:**               **Council Member Sarah V. Compo  
Council Member Ryan J. Henry-Wilkinson  
Council Member Jesse C. P. Roshia  
Council Member Lisa A. Ruggiero  
Mayor Jeffrey M. Smith**

**Also Present:**       **Kenneth A. Mix, City Manager  
Robert J. Slye, City Attorney**

This meeting was conducted in accordance with Governor Cuomo’s Executive Order No. 202.1 that restricts in-person access to meetings. The public was able to view or listen to the meeting live at: <https://livestream.com/swp/wcc>.

The City Manager presented the following reports to Council:

- Resolution No. 1 - Authorizing Waiving of Credit Card Fees for Citizens for Until April 30, 2020
- Resolution No. 2 - Rejecting Bid for District 14 Sidewalk Repair Project
- Resolution No. 3 - Rejecting Bid for Soda Ash Improvements Project
- Resolution No. 4 - Accepting Bid for Hydro Plant Canal Maintenance Project
- Resolution No. 5 - Approving the Site Plan for the Construction of 320, 480 and 3,744 Square-Foot (SF) Buildings, an 800 SF Building Addition, a 2,400 SF Event Tent, a 50-Space Parking Lot and Associated Site Improvements at the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000
- Resolution No. 6 - Grant of Easements Between the City of Watertown and National Grid, Project No. 13-20-29462020
- Resolution No. 7 - Discontinuance of a Portion of a City Street Known as Bellew Avenue South
- Resolution No. 8 - Accepting Bid for Hydro Plant Trash/Safety Rack Replacement Project
- Resolution No. 9 - Establishing the Level of Service for Watertown Fire Department Heavy Rescue Truck and EMS Calls
- Sales Tax Revenue – February 2020
- Sales of Surplus Hydro-electricity – February 2020
- NYS Office of the State Comptroller – Fiscal Stress Monitoring System
- Sales Tax Revenue by Category

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence. Mayor Smith asked that everyone remember in their thoughts the individuals that have been infected with the Coronavirus (COVID-19) pandemic, as well as the healthcare workers, delivery workers, people on the frontlines going the extra mile during this and everyone that has felt the secondary effects of this pandemic.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of March 16, 2020, was dispensed and accepted as written by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

### **PROCLAMATION**

Mayor Jeffrey M. Smith interrupted the regular course of business to announce that the City of Watertown is an inclusive community, and he proclaimed the month of April 2020 to be Fair Housing Month in the City of Watertown and encouraged activities by private and public entities intended to provide and advocate for equal housing opportunities for all residents and prospective residents of the City of Watertown.

### **COMMUNICATIONS**

A letter was received from Attorney Jan Kublick on behalf of his clients, citing the many reasons why he objects to Council's consideration of the Site Plan Proposal for the Watertown Golf Club and he urges Council to send the application back to the Planning Board for further review.

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

A claim was received from Antonucci Law Firm, LLP, on behalf of Alan Russo, seeking reimbursement for damages caused by the taking and demolition of premises at 934 Academy Street on January 2, 2020.

**Above claim was referred to the Board of Audit.**

### **RESOLUTIONS**

#### **Resolution No. 1 - Authorizing Waiving of Credit Card Fees for Citizens for Until April 30, 2020**

##### **Introduced by Council Member Ryan J. Henry-Wilkinson**

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, will waive the credit card fees for all citizens who pay by credit card for fees related to property tax, water and sewer, trash totes and parking ticket payments through April 30, 2020.

##### **Seconded by Council Member Lisa A. Ruggiero**

Prior to the vote on the foregoing resolution, Council Member Ryan J. Henry-Wilkinson asked if his colleagues would also support waiving late fees on water bills due to the COVID-19 pandemic in addition to waiving the credit card fees.

Mayor Smith stated that he would like a report to see what the dollar amount would be so it can be considered for the next meeting. He stressed that it should only apply to bills during this month and not to an account that is a year behind in paying.

Council Member Henry-Wilkinson clarified that it would only be for households suffering hardship due to this pandemic.

In response to Council Member Ruggiero noting that water shutoffs were originally scheduled for today, City Manager Mix indicated that the City should not have staff out doing that type of work at this time.

Regarding the waiving of credit cards fees, Mayor Smith advised that the waiving of fees cannot continue forever and reminded everyone that there are other ways to pay besides credit cards, such as ACH, through the mail or by using the City Hall drop box. He explained that these fees are a pass through fee from the credit card companies so the City has to be cautious in that it cannot always absorb this cost. In regard to the late fees on water bills, he asked Council Member Henry-Wilkinson to look at a defined period of what the impact to the City would be and reiterated that if someone has already been late and had back late fees then the City cannot forgive those.

Council Member Roshia stated he agreed with Council Member Henry-Wilkinson and there should be due diligence to see if it is a result of hardship. Stating he had received feedback on the waiving of credit cards fees and whether it could continue, he confirmed Mayor Smith's comment of it being a pass through charge from the credit card company. He asked if there is anything available to municipalities which make them not subject to the pass through fees onto the constituents.

Mr. Mix stated he is not aware of anything and indicated that the fees are how the credit card companies make their money. He pointed out that the fees are being waived for the consumer but the City will still need to pay those fees.

Council Member Roshia noted that the fees for last April were approximately \$1,300 but for the year, they were approximately \$40,000, and if the City was to pick up that cost then it is \$40,000 that would need to be taken out of the budget elsewhere.

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

**Resolution No. 2 - Rejecting Bid for District 14 Sidewalk Repair Project**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS the City Purchasing Department has advertised and received sealed bids for District 14 Sidewalk Repair Project, as per City specifications, and

WHEREAS bid invitations were also issued to Bid Net with four (4) sealed bids submitted to the Purchasing Department, and

WHEREAS on Tuesday, March 17, 2020, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS it is the City Manager's recommendation that the City Council reject all bids submitted for the District 14 Sidewalk Repair Project to allow the project to be delayed for a year,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby rejects all bids for District 14 Sidewalk Repair Project.

**Seconded by Council Member Sarah V. Compo**

Prior to the vote on the foregoing resolution, Mayor Smith explained that this is a way for the City to save money under the current situation of the pandemic and its budgetary impact, as well as a way to save the residents money. He indicated that the City will reject the bids for this year and restart the program next year once things are back to normal. He confirmed for Council Member Henry-Wilkinson that District 14 will become the next year's district.

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

**Resolution No. 3 - Rejecting Bid for Soda Ash Improvements Project**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS the City Purchasing Department has advertised for sealed bids for Soda Ash System Improvements Project, as per City specifications, and

WHEREAS bid invitations were also issued to area plan houses and (5) five prospective bidders with one (1) sealed bid submitted, and

WHEREAS on Tuesday, March 17, 2020, at 3:00 p.m., the bid received was publicly opened and read, and

WHEREAS Bernier, Carr & Associates, PC reviewed the bid, and it is their recommendation that the City Council reject the bid received,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby rejects the bid received for Soda Ash Improvements Project, per City specifications, in order for the bid to be re-bid at a later date.

**Seconded by Council Member Lisa A. Ruggiero**

Prior to the vote on the foregoing resolution, Council Member Roshia noted there was a significant discrepancy with the bid amount compared to what was put in the capital budget. He asked if it is realistic that the project will get done anywhere close to the budgeted amount.

Mr. Mix stated staff will be reviewing this and will report back to Council. He also indicated that he does not have an explanation to Council Member Henry-Wilkinson's inquiry as to why there was only one bid received.

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

**Resolution No. 4 - Accepting Bid for Hydro Plant Canal Maintenance Project**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS the City Purchasing Department has advertised and received sealed bids for Hydro Plant Canal Maintenance Project, as per City specifications, and

WHEREAS bid invitations were also issued to Bid Net with three (3) sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, March 19, 2020, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS the City Purchasing Department reviewed the bids received with City Engineering, and it is their recommendation that the City Council accept the bid submitted by DC Building Systems, Inc. in the amount of \$497,499.49,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of DC Building Systems, Inc. in the amount of \$497,499.49 for Hydro Plant Canal Maintenance Project as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all contracts associated with implementing the award to DC Building Systems, Inc.

**Seconded by Council Member Sarah V. Compo**

Prior to the vote on the foregoing resolution, Council Member Roshia questioned the dollar amounts listed in the report and wondered if the General Fund appropriation of \$35,000 was still needed

Mr. Mix offered an explanation and stated that the plan in the capital budget was to transfer from the General Fund to cover \$35,000.

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

**Resolution No. 5 - Approving the Site Plan for the Construction of 320, 480 and 3,744 Square-Foot (SF) Buildings, an 800 SF Building Addition, a 2,400 SF Event Tent, a 50-Space Parking Lot and Associated Site Improvements at the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS Michael E. Lundy, President of Watertown Golf Club, Inc., has submitted an application for Site Plan Approval for the construction of 320, 480 and 3,744 square-foot (SF) buildings, an 800 SF building addition, a 2,400 SF event tent, a 50-space parking lot and associated site improvements at the Watertown Golf Club, 1 Thompson Park, Parcel Number 12-26-104.000, and

WHEREAS the proposed site plan was referred to the Jefferson County Planning Board, pursuant to New York State General Municipal Law Section 239-m, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meeting held on March 3, 2020 and voted to recommend that the City Council of the City of Watertown approve the site plan with the following conditions:

1. The applicant shall provide four (4) ADA accessible parking spaces per United States Department of Justice regulations under the Americans with Disabilities Act.

The applicant must locate two of these ADA spaces in the new parking lot, pave them completely, including paving the access aisles. All four ADA spaces must meet all State and Federal ADA requirements.

2. The applicant must submit a revised Engineering Report to include: Site and project description, all nearby utilities (water, sewer, electrical, communication, gas, etc), site lighting, soil classification & and hydrologic analysis prior to issuance of any permits.
3. The applicant must submit detail sheets with notes for various utility, asphalt paving, concrete and other relevant construction details to the satisfaction of the City Engineering Department.
4. The applicant must obtain the following permits, minimally, prior to construction: Building Permit, a General City Permit and a Certificate of Zoning Compliance.
5. The applicant must obtain a “Private Sewage Disposal” permit prior to receiving a certificate of occupancy.
- \*6. The applicant must remediate current parking lot and septic tank upon direction of the City Engineer.**

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is an Unlisted Action and will not have a significant impact on the environment, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant impact on the environment, and

BE IT FURTHER RESOLVED that it is an express condition of this Site Plan Approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan, which, in the opinion of the City Engineer, would require Amended Site Plan Approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is directed to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that Site Plan Approval is hereby granted to Michael E. Lundy, President of Watertown Golf Club, Inc., for the construction of 320, 480 and 3,744 square-foot (SF) buildings, an 800 SF building addition, a 2,400 SF event tent, a 50-space parking lot and associated site improvements at the Watertown Golf Club, 1

Thompson Park, Parcel Number 12-26-104.000, as depicted on the site plan submitted to the City Engineer on March 2, 2020, contingent upon the applicant meeting the conditions listed above.

**Secinded by Council Member Jesse C. P. Roshia**

Prior to the vote on the foregoing resolution, Council completed Part 2 of the Short Environmental Assessment Form. Discussion occurred regarding item #3, #5, #7 and #8 but Council concurred that “No, or small impact may occur” for each of them.

Council Member Ruggiero started the discussion by stating that she sent an email to Council with her concerns over the remaining encroachment issues that were to be resolved last year. In regard to the old septic tank, she said she does not see any conditions set by the Planning Board that it is to be removed and the old parking lot remediated. She stressed that the City should not be responsible for that.

Attorney Slye stated that he spoke with the City Engineer and he was going to direct that the former leach field and septic tank be removed and that the property be remediated. He noted that the soil and grass might need to wait until fall to re-sod the old parking area. In response to Council Member Ruggiero’s comment that this should go back to the Planning Board to add this as a condition because there is nothing forcing the owner to follow through with this, Attorney Slye explained that Council has the authority to do that tonight because Council retains jurisdiction of all site plans.

Council Member Ruggiero questioned if there was enough parking in order for the business to open for the season because there is not the necessary parking right now based on what the site plan says.

Mayor Smith stated the parking should be a nonissue because there is parking between the zoo and the new pool, in addition to parking along the street which is similar to what people do at the other golf course on Flower Avenue. He noted this is no different than people parking along the streets in the Park to go for a walk and stressed this is a public golf course, not private.

Council Member Ruggiero argued that the site plan states the business should have a certain number of parking spots and it currently does not, so she expressed concern passing this resolution before they achieve this requirement.

Mr. Mix stated that he does not see where the Planning Board required that number of spaces and noted the building is quite small, so the number required by the ordinance is not that many. He pointed out that the parking lot is being added because the owner wants the additional parking, not because it is required by the zoning ordinance.

Attorney Slye stated there is adequate public parking elsewhere and suggested that Council could prohibit the Watertown Golf Club’s patrons from parking in the area that they used to park in, which is City property. He said he thinks this meets Council Member Ruggiero’s objection without telling the business that they cannot open the golf course. He advised that Council could add this as a condition prior to their vote on the resolution.

Council Member Ruggiero mentioned that she heard there was tree removal being done and there was concern that it was being done on City property. Lastly, she addressed the encroachment regarding the building which held the well and the water lines and that it had not been resolved yet.

Attorney Slye clarified that it was not a well and the golf course was on City water so the building holds the piping delivering City water to the property. He stated that this was not an instant fix and was going to require some engineering to figure out how to move it.

Council Member Ruggiero reiterated her concerns over the old septic system needing to be removed, the previous parking area needing remediation and the relocating of the water system. She indicated that there are no conditions requiring the owner to do these items and suggested sending this back to the Planning Board and establishing deadlines. She referenced a prior memo of understanding between the previous City Manager and Mr. Lundy which had deadlines that were not met.

Mayor Smith pointed out that some of these issues have been there for decades and have not harmed the public in anyway. He clarified that this is not justification that if there are encroachments that they should not be fixed, but there needs to be a reasonableness in terms of time. He commented that the only reason why these issues came up was because of the fight between two developers. He reiterated that does not mean that it should not be fixed, but there needs to be reasonableness.

Further discussion occurred regarding prior agreements that had been in place with Mr. Lundy and whether deadlines were formalized through Council.

Council Member Compo cautioned about placing any deadlines on anything involving construction because of what is going on with the pandemic and that construction has been deemed non-essential by the Governor, so it cannot continue.

Discussion took place over timelines and the difficulty of setting deadlines during the pandemic situation. The three remaining encroachment issues and necessity to resolve them immediately was debated further. It was noted that these encroachments have been in place for a very long time and possibly approved by a prior Council shortly after the deeding of the property to City and they more likely to be aware of the actual property lines and consequences of the reversion clause.

Regarding tree removal, Mr. Mix indicated the trees that were taken down are on Watertown Golf Club's property, but they have also marked trees for possible removal on the leased land. He said he believed the leased property would have been originally cleared to create the golf course and trees planted, which are different species than what naturally occurred in the woodlands in that area and are located within fairways. He advised that staff has looked at the lease and there is nothing that prohibits them from removing trees, but he noted that it does say the property is to be returned in good condition.

Attorney Slye suggested that the removal of the old septic system should be upon order of the City Engineer and, if it is a condition and the City Engineer orders it, then the City has the right to go to court to enforce it. Regarding the ban on parking in the prior parking area, Attorney Slye said Council could declare that this evening and the deadline for remediation of that area could be set for a certain time, possibly one year, after the Governor's order on non-essential services is lifted. Lastly, he said the water pumping system is more difficult because it is a complicated system to be moved and he reminded Council that it is not violating any rules of the Department of State in terms of encroaching on parkland. He said the concern seems to be with the deed to the property which requires that the use of the property be consistent with park purposes and he thinks that is a different standard. He agreed with Council Member Ruggiero that there is a right of reversion in the deed, and that gives the City grounds to require them to do it because they are putting the City in potential violation of the deed covenant.

**Motion was made by Council Member Ryan J. Henry-Wilkinson to amend the foregoing resolution to add condition #6 as “The applicant must remediate current parking lot and septic tank upon direction of the City Engineer.” Motion was seconded by Council Member Jesse C. P. Roshia and carried with all voting in favor thereof except Council Member Lisa A. Ruggiero voting nay.**

**At the call of the chair, a vote was taken on the foregoing amended resolution and carried with all voting yea except Council Member Lisa A. Ruggiero voting nay.**

**Resolution No. 6 - Grant of Easements Between the City of Watertown and National Grid, Project No. 13-20-29462020**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS National Grid desires to upgrade the electrical services to City Hall and Roswell P. Flower Memorial Library, and

WHEREAS in order to complete the upgrades, National Grid will need to cross City-owned property, and

WHEREAS National Grid and the City have agreed to the location of the work, and the City wishes to grant easements to National Grid so that the electrical conduit and upgrade may be installed,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the two Grant of Easement Agreements between the City of Watertown and National Grid for parcels 11-02-211.000 and 11-01.201.000, and

BE IT FURTHER RESOLVED that the City Manager Kenneth A. Mix is hereby authorized and directed to execute the Grant of Easement Agreements on behalf of the City.

**Seconded by Council Member Sarah V. Compo and carried with all voting yea.**

**Resolution No. 7 - Discontinuance of a Portion of a City Street Known as Bellew Avenue South**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS the City Council has established a City Street known as Bellew Avenue South in the City of Watertown, and

WHEREAS a 0.166 acre portion of the street is located southerly of the southerly margin of Rail Drive in the City Center Industrial Park, and

WHEREAS the Watertown Local Development Corporation, in conjunction with the Jefferson County Industrial Development Agency, is proposing to relocate an existing rail spur within the City Center Industrial Park to a location that would include a portion of Bellew Avenue South which is southerly of Rail Drive, and

WHEREAS the relocation of the rail spur will aid two major economic development initiatives planned for the industrial park resulting in business expansion and job growth, and

WHEREAS the City Council of the City of Watertown is authorized, pursuant to Section 20, Paragraph (7) of the New York General City Law, to discontinue streets, and

WHEREAS the City Council deems it in the best interests of the City to discontinue a portion of the Bellew Avenue South that is located southerly of the southerly margin of Rail Drive, more particularly described as follows:

ALL THAT TRACT OR PARCEL OF LAND situate in the City of Watertown, County of Jefferson, State of New York and being more particularly described as follows:

BEGINNING at the most southwesterly terminus of Bellew Avenue South;

THENCE N. 02°-55'-14" E., along the westerly margin of Bellew Avenue South a distance of 75.00 feet to a point;

THENCE N. 42°-04'-46" W., along the westerly margin of Bellew Avenue South a distance of 35.36 feet to a point;

THENCE S. 87°-04'-46" E., a distance of 116.00 feet to a point in the easterly margin of Bellew Avenue South;

THENCE S. 47°-55'-14" W., along said margin a distance of 35.36 feet to a point;

THENCE S. 02°-55'-14" W., continuing along the easterly margin of Bellew Avenue South a distance of 75.00 feet to the most southeasterly terminus thereof;

THENCE N. 87°-04'-46" W., along the southerly terminus of Bellew Avenue South a distance of 66.00 feet the POINT OF BEGINNING

CONTAINING 0.166 acres of land, more or less.

SUBJECT TO a 50' Sanitary Sewer Easement.

SUBJECT TO any other rights or restrictions of record that may exist.

IT BEING the intent to describe all that portion of Bellew Avenue South, located southerly of the southerly Margin of Rail Drive, said parcel of land being a portion of the parcel of land conveyed by the Owasco River Railway, Inc to the City of Watertown by deed recorded in the Jefferson County Clerk's Office in Liber 1012 at Page 254, on February 07, 1986, as shown on a map titled "Final Map of Subdivision and Assemblage of the Lands of MLR Realty LLC Et Al., Rail Drive and Bellew Avenue South, City of Watertown, County of Jefferson, State of New York", dated 02/24/2020, prepared by GYMO, Architecture, Engineering & Land Surveying, D.P.C., Watertown, New York.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the use of a portion of Bellew Avenue South in the City of Watertown located southerly of the southerly margin of Rail Drive, as described above, shall be discontinued effective immediately.

**Seconded by Council Member Jesse C. P. Roshia and carried with all voting yea.**

**Resolution No. 8 - Accepting Bid for Hydro Plant Trash/Safety Rack Replacement Project**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS the City Purchasing Department has advertised and received sealed bids for Hydro Plant Trash/Safety Rack Replacement Project, as per City specifications, and

WHEREAS bid invitations were also issued to four (4) vendors with three (3) sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, March 19, 2020, at 11:15 a.m., the bids received were publicly opened and read, and

WHEREAS the City Purchasing Department reviewed the bids received with City Engineering, and it is their recommendation that the City Council accept the bid submitted by DC Building Systems, Inc. in the amount of \$37,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of DC Building Systems, Inc. in the amount of \$37,000 for Hydro Plant Trash/Safety Rack Replacement Project as the most qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign all contracts associated with implementing the award to DC Building Systems, Inc.

**Seconded by Council Member Jesse C. P. Roshia**

**Rules waived by Motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Jesse C. P. Roshia**

Council Member Henry-Wilkinson noted that this was added to the agenda and stated he feels weird that the public is not in attendance at the meeting and he did not get a chance to solicit public comment on this. He added that he does not disagree with what the resolution entails.

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

Mr. Mix offered an explanation to this resolution being a late addition to the agenda. He indicated that the low bidder submitted a schedule which looked like it would not meet the City's schedule and there were additional concerns that the low bidder is a Canadian company, which could cause delivery problems crossing the border under the current situation of the pandemic. He stated the next lowest bidder assured staff that it could meet the timeframe and it was a less than \$2,000 difference between the two bids so the second lowest bidder was chosen.

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

**Resolution No. 9 - Establishing the Level of Service for Watertown Fire Department Heavy Rescue Truck and EMS Calls**

**Introduced by Council Member Ryan J. Henry-Wilkinson**

WHEREAS, the City of Watertown enjoys a full-time professional Fire Department which, among its many duties, responds to Emergency Medical Service (EMS) calls providing basic life support (BLS) services on all work shifts; and

WHEREAS, a local private ambulance service provides advanced life support (ALS) services in the City, and holds the certificate of need (issued by New York State Department of Health) to transport individuals with medical conditions; and

WHEREAS, the Watertown Fire Department provides non-transporting BLS services in support of the private ambulance service; and

WHEREAS, the Watertown Fire Department has been sending multiple units to calls for BLS services, the result of which has many times been to provide the support services which are not called for under the County's EMS program or EMD (Emergency Medical Dispatch) guidelines; and

WHEREAS, the deployment of multiple units in those situations, while otherwise laudable, presents an unnecessary risk to the health, safety and welfare of the members of the Fire Department and of the public; and

WHEREAS, the City's EMS response by multiple units also does not follow the standards set forth in the dispatching procedures and protocols dictated by the County's EMS program, or is otherwise inconsistent with the County standardized EMD; and

WHEREAS, the City Council, as the elected body of the City, is responsible for establishing the level of service required of each City department, including the Watertown Fire Department in providing BLS services; now therefore be it

RESOLVED, that the Watertown Fire Department shall be limited in the level of service to be provided in its response to support EMS calls by solely dispatching its designated rescue truck to medical calls, as dispatched by Jefferson County EMD program, and consistent with EMD standards, even if multiple medicals occur at the same time. The City Fire Department shall otherwise respond with additional units or the closest unit for the following events:

- a. Pedestrian/vehicle accidents;
- b. Motor vehicle accidents;
- c. Person not breathing;
- d. CPR is in progress/Cardiac Arrest; and
- e. When specifically requested by the City's Advanced Life Support ("ALS") provider and holder of the certificate of need, Guilfoyle Ambulance Service; and be it further

RESOLVED that the Watertown City Manager shall instruct the County's Office of Fire and Emergency Management to only deploy the City's heavy rescue truck in the above circumstances or

where the Watertown Fire Department's "BLS" services are otherwise necessary, being guided by the programmed EMS guide contained in the County's EMD Dispatch System.

**Seconded by Council Member Sarah V. Compo**

**Rules waived by Motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Sarah V. Compo and carried with all voting in favor thereof.**

Council Member Ruggiero said that she has several questions in regard to this resolution and that she is confused on some of the language regarding the response to calls.

Mayor Smith clarified that the last paragraph's intent is that only the rescue truck will respond, as dispatched by the County Dispatch, but if there is one of the "above calls", which would be considered a priority one call, then the closest unit would go. He confirmed for Council Member Henry-Wilkinson that the closest unit could also be the heavy rescue truck. In response to Council Member Ruggiero's question of whether this is permanent or a response to COVID-19, Mayor Smith indicated it would be permanent, but the firefighters brought up a good point about their safety and welfare during this pandemic and currently the department is "over dispatching" with their policy. He offered the following example of a current policy: a BLS call on Mill Street and a pumper from the Mill Street station responds, the rescue truck responds and an ambulance responds for a basic call. He said the City is not following Emergency Medical Dispatch (EMD) guidelines and it puts the City at liability and risk, as well as putting the public at risk. He reminded Council that the Fire Department is a non-transport assistance only service and the private ambulance company, Guilfoyle, has the certificate of need issued by the State of New York to provide that service.

Council Member Ruggiero expressed concerns that the Fire Chief was not consulted on this and she thinks that a Department Head should be involved when Council considers changes to a department. She said she spoke to the County, Dr. Gray, who is the Medical Director for local EMS, and Dr. Maynard, who is the County EMS Director, and she was informed that none of them were consulted on this. Referring back to the language in the resolution, she said it states to only deploy the City's heavy rescue truck in the "above circumstances" and it does not list fires, falls, overdoses, or chest pain calls.

Mayor Smith reiterated that the Fire Department is a "BLS non-transport, provide-assistance to the ALS certificate of need holder private company." He reminded Council Member Ruggiero that the County and Dr. Gray do not establish the level of service for the City of Watertown. Stating that he has a great deal of knowledge in this field, Mayor Smith assured Council that this is well within EMD guidelines, which are national guidelines, and he pointed out that the City is currently not following EMD guidelines. He provided details of the guidelines and response protocols, while offering examples of how/when the City does not follow those guidelines. He noted that if there is ever an accident in which someone is hurt, their attorney would question why the City does not follow the standard EMD guidelines.

Further discussion occurred on the language of the resolution and clarification of the types of response to calls. Council Member Ruggiero argued that there was a need to consult with the Fire Chief prior to Council adopting this resolution establishing the level of service for EMS calls.

**Motion was made by Council Member Ryan J. Henry-Wilkinson to table the foregoing resolution. Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.**

## **STAFF REPORTS**

The following reports were available for Council to review:

**Sales Tax Revenue – February 2020**

**Sales of Surplus Hydro-electricity – February 2020**

**NYS Office of the State Comptroller – Fiscal Stress Monitoring System**

**Sales Tax Revenue by Category**

Mayor Smith asked City Comptroller James Mills to join the meeting and report on the financial impact of the Coronavirus (COVID-19) pandemic on the sales tax and the City's revenue.

Mr. Mills explained that the regular monthly Sales Tax report shows an increase and it was progressing nicely before the pandemic began affecting the numbers. He also noted the hydro report showing the numbers are within the expected range but that the last quarter numbers were traditionally the largest. Mr. Mills then drew Council's attention to the Sales Tax Revenue by Category report indicating where Jefferson County Sales have been from since 2014. He noted it only had data until August 2019, but he still felt it was very good statistical base to look at. Noting the graph on page 2, he stated it was no surprise that 64% of sales came from retail trade and that the second highest number came from accommodation and food services at almost 12%. He then asked Council to look at the graph which further broke down retail trade into industry groups and explained that automobile dealers (22%), building materials and supplies dealers (10%), gasoline stations (15%) and general merchandise stores (9%) had the highest percentages. He then directed Council's attention to the following page where he broke down the estimated distribution of sales tax (pre-Coronavirus) and transferred those numbers into the \$19 million budget. To estimate the impact of the Covid-19 pandemic, he explained, that \$2.7 million of the budget would have come from automobile dealers, \$1.8 million would come from gasoline stations and \$2.4 million would come from accommodations and food service. He summarized that approximately \$5 million out of the City's \$19 million comes from automobile dealers and food services, which are now closed.

Mayor Smith noted that with people not travelling around and with gas prices at all-time lows, there will be a hit to the gasoline numbers as well.

Council Member Ruggiero noted that bed tax money will be affected as well and that is used for the arena payment.

Mr. Mills further explained that he will not know the actual impact of the drop in sales tax revenue for this period until July, so he cannot predict with any certainty at this time. He suggested that the City prepare for the worst because the City cannot be caught at the end of the quarter and not have enough money for what has already been done. He added that there are a couple of unfunded mandates that the Governor issued that are going to cost the City \$240,000 and \$195,000. In response to Mayor Smith's question about retirement funding, Mr. Mills indicated that it was not as bad as originally believed, but that there would still be a increase of a few hundred thousand dollars. Mr. Mills also added that T-Bills were not performing well and that would be a loss of about \$100,000-200,000.

Mayor Smith summarized that all of these numbers added up to the City being millions of dollars “in the hole” and explained that the City could not just take the money from the fund balance because approximately \$7 to \$8 million of the fund balance is used as cash flow to keep the City running. He said that if the fund balance is taken too low, then the City will need to borrow, and pay interest on that money, just to maintain cash flow and payroll. Stating that the budget is already extremely lean, he added that a tax increase is not feasible because this would result in passing the burden on to a taxpayer who is out of work and will not be able to pay it. He advised that Council is going to have to take a serious look at the services provided which are extra and whether they will be able to continue. He encouraged everyone to look at ways to save money, possible projects that could be delayed and purchases, such as vehicles, that could be pushed out. He stressed that the City’s revenue will be devastated because 47% of the City’s revenue is sales tax.

Council Member Compo agreed that they cannot put a tax increase off on people, many of whom have no livelihood right now and cannot even reach unemployment to file a claim.

Council Member Henry-Wilkinson stated the number is just too big to tax their way out of it.

Council Member Roshia stressed that communication to the public will be important and the message needs to be that there will be a decrease in services but it in lieu of a large tax increase.

Stating the City needs to find ways to increase revenue, Council Member Ruggiero mentioned the possibility of leasing land to a solar company and asked for that it be looked at further.

The conversation turned to the recent announcement about the increase in CDBG funds and ways that it could be used if the restrictions were to be more lenient.

## **NEW BUSINESS**

### **Burchard Street**

Council Member Compo stated that she had received complaints about a hole left on that street where the City had completed some work and that the hole had been filling in with water.

### **Coronavirus (COVID-19) Website**

Council Member Compo explained that the City has a new website with all of the most complete and updated information the City has on the COVID-19 pandemic and encouraged everyone to visit the site at [www.watertowncovidresources.org](http://www.watertowncovidresources.org).

### **U.S. Census**

Council Member Henry-Wilkinson noted that the City’s response rate is only about 20% right now and he stressed that he could not overstate the importance and ease of filling out the Census. He suggested everyone visit [www.my2020census.gov](http://www.my2020census.gov) or call 1-844-330-2020.

Mayor Smith stressed the importance of people completing the census, stating it is their civic duty.

**Public Input for Council Meetings and Public Hearings during Coronavirus (COVID-19) Pandemic**

Council Member Henry-Wilkinson stated that he had been discussing with the City Clerk the best means to acquire feedback from the general public, in these complicated times, especially in the upcoming budget season, since the public is not attending meetings.

City Clerk Ann Saunders informed Council that staff was already working on this and indicated that something might be done with a Livestream or a software like Zoom or GoToMeeting.

Mayor Smith indicated that he spoke with the Lieutenant Governor last week about public hearings coming up for the budget process. He said they had not addressed that yet but it will be reviewed and discussed further on how to deal with it.

Ms. Saunders also suggested City Hall's drop box as a way to get communications to Council, noting that the box is checked multiple times throughout the day.

**Coronavirus (COVID-19) Thank Yous**

Mentioning that the Mayor thanked the healthcare workers on the front lines, Council Member Henry-Wilkinson added his thanks to all of his fellow grocery store employees and other retail workers and truck drivers.

Mayor Smith thanked City staff for all of their hard work in these complicated times, particularly noting Mr. Mix, Mr. Mills, Ms. Saunders, Police, Fire, DPW workers.

**Paying Water Bills Online**

In response to Council Member Roshia inquiring as to whether there was any fee if the payment is set up directly from a bank account, Mayor Smith said there was none.

Council Member Henry-Wilkinson confirmed that he used this method and his payment was withdrawn from his account automatically and he received a receipt in the mail with no additional fee.

**Coronavirus (COVID-19) Advertisement by Running Boards**

Council Member Roshia thanked Chris Mooney and his company, Running Boards, for providing an in-kind donation of advertising on their trucks for the City's COVID-19 resources website.

**CitiBus Operation During Coronavirus (COVID-19)**

Council Member Roshia inquired if there were any numbers on Citibus ridership and stressed that he understood that people had to get to work and to the store, but was concerned whether the public was making use of the buses in this complicated time.

Mr. Mix stated the last numbers he had received were that ridership was down 20 to 30% but explained that the City was trying to discourage people from using the service too often and for recreation purposes.

Council Member Ruggiero noted that the B Route had been extended to Target and Walmart to assist people in obtaining the things they need. She added that the City was doing everything possible to keep the public informed.

**Enforcement of Social Distancing During Coronavirus (COVID-19)**

Council Member Ruggiero stated that she had received a call from a constituent informing her that, while driving through the park, she had observed a group of 13 people and the constituent wanted to know if the City was going to do anything to enforce social distancing.

Mr. Mix explained that enforcement has always been the question and that the Governor has issued these directives without giving any guidelines to the municipality on how to enforce them. He stated he would continue to look into this situation and try to discover what laws they can enforce. He also indicated that it was difficult to keep up with all the various reports heard in the media, and he stressed that he checks the State's website everyday but that the State had not updated the list of non-essential services since Friday, March 27.

Mayor Smith suggested that enforcing social distancing right now should be handled by advising people to disperse. He noted that he had spoken to the Police Chief and the Police are going to sites, not looking to fine people, but to just encourage them to follow the guidelines.

**Thompson Park Pool**

Council Member Ruggiero stated that she understood that work on the pool had been determined non-essential, and wondered about the effect on the warranties.

City Attorney Slye responded that the warranty will start at the time the project is completed. He assured Council that the contract would cover this and there should not be any concern.

**Liquor and Beer Stores**

Mayor Smith indicated that he had learned that these stores were deemed essential because they are in the same classification with grocery stores.

**April's Work Session**

Discussion occurred regarding the topics that had been on the agenda and it was determined that they could wait and the work session would be cancelled.

**ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 9:07 p.m. by motion of Council Member Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.**

**Ann M. Saunders**

City Clerk