

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
December 6, 2021  
7:00 p.m.**

**Mayor Jeffrey M. Smith Presiding**

**Present:** Council Member Ryan J. Henry-Wilkinson  
Council Member Sarah V.C. Pierce  
Council Member Lisa A. Ruggiero  
Council Member Leonard G. Spaziani  
Mayor Jeffrey M. Smith

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

**City staff present:** Michael Lumbis, Fire Chief Matthew Timerman, James Mills

The City Manager presented the following reports to Council:

- Resolution No. 1 - Reappointing Lisa M. Carr as a Marriage Officer for the City of Watertown
- Resolution No. 2 - Adopting Jefferson County Coordinated Transportation Plan
- Resolution No. 3 - Approving the Agreement Between Dr. Jon A. Emerton and the City of Watertown for Health Officer
- Resolution No. 4 - Approving Salary Structure and Annual Pay Increase for Watertown Housing Authority Employees
- Resolution No. 5 - Establishing 2022 County Tax Rate
- Resolution No. 6 - Readopting Fiscal Year 2021-22 General Fund Budget – Adding Deputy Fire Chief Position
- Resolution No. 7 - Approving Change Order No. 1 for the CDBG Tilden Street-300 Block-Sidewalk Repair Project, Upstate Construction Services, Inc.
- Resolution No. 8 - Authorizing Application for Assistance to Firefighters Grant (AFG)
- Resolution No. 9 - Approving the Community Development Block Grant (CDBG) Sub-Recipient Agreement with Neighbors of Watertown, Inc. for the 2021 Homebuyer Program
- Resolution No. 10 - Approving the Community Development Block Grant (CDBG) Sub-recipient Grant Agreement with Neighbors of Watertown, Inc. for the 2021 Owner Occupied Rehabilitation Program
- Resolution No. 11 - Finding That Amending the Approved Plan and Approving the Site Plan for Planned Development District #24, Parcel Number 13-18-103.200 Will Not Have a Significant Impact on the Environment
- Resolution No. 12 - Finding That Changing the Approved Zoning Classification of 116 and 112 Woodruff Street from Residence B to Health Services and Establishing a 4,050 SF Construction Material Staging Area at 116 Woodruff Street Will Not Have a Significant Impact on the Environment
- Resolution No. 13 - Endorsement of Jefferson Community College Entrepreneur Education Initiative
- Public Hearing - Ordinance Amending the Approved Plan for Planned Development District #24, Parcel Number 13-18-103.200

- Public Hearing - Ordinance Changing the Approved Zoning Classification of 116 and 112 Woodruff Street, Parcel Numbers 14-01-104.000 and 14-01-103.000 From Residence B to Health Services
- Sales Tax Revenue – October 2021
- Sale of Surplus Hydro-electricity – October 2021
- Year-end Financial Report
- Board and Commission Appointments

**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 November 15, 2021, 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.

**COMMUNICATIONS**

A letter was received from Sylvia Buduson, 108 Katherine Street, in support of preserving the Flynn Pool on the northside of Watertown.

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

**PRIVILEGE OF THE FLOOR**

**Patricia Whalen**, 11 Public Square, provided Council Members with a copy of a letter from Northern New York Community Foundation (not on file in the City Clerk's Office) regarding the fundraising account she has established for a homeless shelter. She also expressed concern over cars speeding at the Arsenal Street and Arcade Street intersection and requested the status of the installation of the bus stop signs. Lastly, she requested a covered bus stop shelter be installed at the Walker Cancer Center.

**Jonathan Phillips**, 735 Mill Street, told Council that during the recent fire at Hilltop Apartment Building the top floor strobe lights were not working. He also expressed frustration with the bus schedule not running on time and the arrival times not matching the times on the chart.

**Cliff Olney**, 847 Washington Street, addressed the chair concerning the installation of an ice rink at the North Elementary School, noting there was one there years ago. He suggested purchasing a cooling system to keep the ice frozen during mild weather.

**PUBLIC HEARING**

**At 7:20 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning amending the Approved Plan for Planned Development District #24, Parcel Number 13-18-103.200**

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

No one spoke.

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

**At 7:21 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning changing the Approved Zoning Classification of 116 and 112 Woodruff Street, Parcel Numbers 14-01-104.000 and 14-01-103.000 From Residence B to Health Services**

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

No one spoke.

**Mayor Smith declared the hearing closed at 7:22 p.m.**

**RESOLUTIONS**

**Resolution No. 1 - Reappointing Lisa M. Carr as a Marriage Officer for the City of Watertown**

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

WHEREAS Section 11-C(1) of the New York State Domestic Relations Law permits the City Council of the City of Watertown to appoint one or more Marriage Officers who shall have the authority to solemnize marriages within the City, and

WHEREAS the City Council of the City of Watertown adopted Local Law No. 2 of 2002, establishing the position of City Marriage Officer under Section 45-11.3 of the City Code of the City of Watertown, and

WHEREAS Lisa M. Carr is over the age of 18 and is a resident of the City of Watertown, as required by Section 11-C(2) of the New York State Domestic Relations Law,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that Lisa M. Carr shall be re-appointed as a Marriage Officer for the City of Watertown with the duties established by Section 45-11.3 of the City Code of the City of Watertown and by Article 3 of the New York State Domestic Relations Law, for a term of four (4) years commencing immediately and expiring December 5, 2025.

**Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

**Resolution No. 2 - Adopting Jefferson County Coordinated Transportation Plan**

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

WHEREAS the City of Watertown desires to enhance public transportation and has identified transportation barriers, and

WHEREAS the Jefferson County Coordinated Transportation Plan identifies cost-effective approaches to address public transportation and has been developed to comply with the regulations of the Federal Transportation Administration, and

WHEREAS a needs assessment has been identified in our service area to include 22 municipalities in Jefferson County and the City of Watertown, and

WHEREAS the Jefferson County Board of Legislators adopted this plan at their November 16, 2021 meeting,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby adopts the Jefferson County Coordinated Transportation Plan as its guide, a copy of which is attached and made a part of this resolution.

**Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

**Resolution No. 3 - Approving the Agreement Between Dr. Jon A. Emerton and the City of Watertown for Health Officer**

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

WHEREAS the City of Watertown is interested in contracting for professional health officer services, and

WHEREAS the City of Watertown is required by law to have a Health Officer, and

WHEREAS Dr. Jon A. Emerton, 178 Thompson Boulevard, Watertown, New York, has expressed interest in continuing to provide these services to the City of Watertown,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Agreement between the City of Watertown and Dr. Jon A. Emerton, a copy of which is attached and made a part of this resolution, and

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

**Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

**Resolution No. 4 - Approving Salary Structure and Annual Pay Increase for Watertown Housing Authority Employees**

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

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 two percent (2%) cost of living increase for all employees effective January 1, 2022, and

WHEREAS by resolution adopted on November 22, 2021, the Watertown Housing Authority Board approved a two percent (2%) cost of living increase for all employees, effective January 1, 2022, by modification to its existing salary structure,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the 2022 salary structure for all employees of the Watertown Housing Authority which contains a two (2%) cost of living increase, effective January 1, 2022, 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 Lisa A. Ruggiero**

Prior to the vote on the foregoing resolution, Mayor Smith explained that Executive Director of the Watertown Housing Authority, Michael Robarge, was unable to attend this evening due to the recent passing of his mother. He offered his condolences to him and his family. Mayor Smith also explained NYS law requires the Council to approve the salary of Watertown Housing Authority employees, even though the City is not involved in the hiring process or has any authority over Watertown Housing Authority.

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

### **Resolution No. 5 - Establishing 2022 County Tax Rate**

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

WHEREAS the Board of Legislators of the County of Jefferson, by resolution dated November 9, 2021, and in accordance with New York State Real Property Tax Law Article 9 Section 904 has certified to the City that the contribution of the City of Watertown to the taxes of the County of Jefferson for the Fiscal Year beginning January 1, 2022 is \$8,859,454.09,

NOW THEREFORE BE IT RESOLVED that this Council shall and hereby does levy the said aggregate amount of taxes of \$8,859,454.09, so ascertained and directed and to be certified to the City and to be extended on the Assessment Rolls by the City Assessor, as provided by Section 115 of the City Charter, and

BE IT FURTHER RESOLVED that the City does hereby levy a total fee of \$8,859,454.09 to be collected at a rate of \$8.065200 per \$1,000 of assessed valuation, of which County tax levy is \$8,840,551.25 and includes \$18,902.84 in omitted taxes.

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

Prior to the vote on the foregoing resolution, Mayor Smith stated that Council should discuss whether making the County whole benefits the City. He noted one benefit to the City is that the City gets to control the property, but he would like to have a discussion of the pros and cons to this system and whether the City should continue to do it.

Council Member Henry-Wilkinson pointed out that the City does a good job of taking down dilapidated houses and he does not want the City to lose authority over that.

Mayor Smith agreed that the City does a great job removing blight, but noted that nothing usually goes back up in place of the houses torn down. He requested this topic be discussed in a future work session.

Attorney Slye provided an example of a property in the Town of Alexandria which the County continued to pay the taxes to make the Town whole, but the property continued to remain as an eyesore.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Mayor Jeffrey M. Smith voting nay.**

**Resolution No. 6 - Readopting Fiscal Year 2021-22 General Fund Budget – Adding Deputy Fire Chief Position**

**Introduced by Council Member Henry-Wilkinson**

WHEREAS on May 24, 2021 the City Council passed a resolution adopting the Budget for Fiscal Year 2021-22, of which \$46,539,384 was appropriated for the General Fund, and

WHEREAS the City Council desires to add the position of Deputy Fire Chief and revert the Administrative Captain position back to a Firefighter position in the General Fund Budget, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2021-22 to add one Deputy Fire Chief position, eliminate one Fire Captain position and add one Firefighter position in the Fire Department effective when the Deputy Fire Chief position is filled which is expected to be January 1, 2021 or later, and

BE IT FURTHER RESOLVED that the City Council of the City of Watertown hereby makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

Appropriated Fund Balance:

|             |              |                  |
|-------------|--------------|------------------|
| A.0000.0909 | Fund Balance | <u>\$ 60,345</u> |
|-------------|--------------|------------------|

Expenditures:

|                    |                          |                  |
|--------------------|--------------------------|------------------|
| A.3410.0110        | Fire - Salaries          | \$ 52,725        |
| A.3410.0130        | Fire - Wages             | (\$ 12,044)      |
| A.3410.0820        | Fire - Retirement System | \$ 9,413         |
| A.3410.0830        | Fire - Social Security   | \$ 3,113         |
| A.3410.0850        | Fire - Health Insurance  | <u>\$ 7,138</u>  |
| Total Expenditures |                          | <u>\$ 60,345</u> |

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

Prior to the vote on the foregoing resolution, Fire Chief Matthew Timerman explained his concerns over trying to keep up with the workload without having a Deputy Chief and the possibility of putting the City at risk. He mentioned issues that are piling up.

Council Member Ruggiero stated that some people think this is a new position and clarified that the position was removed from the budget a few years ago. She agreed that there is a need for a second person in management, especially during the Fire Chief's absence.

Fire Chief Timerman indicated that the City and department would benefit from adding the position. In response to Mayor Smith's question about the role and responsibilities of a Deputy Chief, Chief Timerman noted that the position would handle any task that he would do so that the department would continue to run in his absence. He explained that scheduling is currently done by the Battalion Chief so he would not change that. Mentioning that he would assign fleet maintenance to the Deputy Chief, he said the remainder of the responsibilities would depend on the person and their strengths.

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

**Resolution No. 7 - Approving Change Order No. 1 for the CDBG Tilden Street-300 Block-Sidewalk Repair Project, Upstate Construction Services, Inc.**

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

WHEREAS at its August 16, 2021, meeting, the City Council of the City of Watertown approved a bid from Upstate Construction Services, Inc. in the amount of \$79,399 for the CDBG Tilden Street-300 Block-Sidewalk Repair Project, and

WHEREAS the original project plans and specifications called for a stepped retaining wall to be constructed but the actual grade and elevation that was encountered in the field required the retaining wall to be constructed higher and with fewer steps than originally proposed, and

WHEREAS the higher wall increased the amount of labor and materials required and was needed to finish the construction, and

WHEREAS Upstate Construction Services, Inc. has submitted Change Order No. 1 in the amount of \$3,360.34 to cover the additional labor and materials,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 1 from Upstate Construction Services, Inc. in the amount of \$3,360.34, a copy of which is attached and made part of this Resolution, bringing the total contract amount to \$82,759.34, and

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

**Seconded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

**Resolution No. 8 - Authorizing Application for Assistance to Firefighters Grant (AFG)**

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

WHEREAS the City of Watertown Fire Department is seeking City Council approval to apply for grant funding under FEMA's Assistance to Firefighters Grant (AFG) Program, and

WHEREAS the purpose of this program is for critically needed resources necessary for protecting the public and emergency personnel from fire and related hazards, and

WHEREAS the application, in the amount of \$181,818, with the City match being \$18,182, would provide funding to cover replacement of our vehicle exhaust capture systems, a \$200,000 project, at each station,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to submit a grant application under FEMA's Assistance to Firefighters Grant (AFG) Program, and

BE IT FURTHER RESOLVED that Fire Chief Matthew Timerman is hereby authorized and directed to execute the grant application on behalf of the City of Watertown and for City Manager Kenneth A. Mix to approve the grant if awarded.

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

Prior to the vote on the foregoing resolution, Mayor Smith explained the application is for vehicle exhaust capture systems at the fire stations.

Fire Chief Timerman confirmed that all three fire stations will be replaced if the grant is awarded. In response to Council Member Pierce's inquiry, he explained the timeline of the approval process.

Mayor Smith noted that he supports this, stating that it is a good expenditure and investment.

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

**Resolution No. 9 - Approving the Community Development Block Grant (CDBG) Sub-Recipient Agreement with Neighbors of Watertown, Inc. for the 2021 Homebuyer Program**

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

WHEREAS the City of Watertown's Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2021 includes funding for the purchase and rehabilitation of up to five (5) housing units to income eligible homebuyers within the City of Watertown, and

WHEREAS the Annual Action Plan identifies the Homebuyer Program to be \$140,000 in funding for the purchase, rehabilitation, administration and program delivery, and

WHEREAS Neighbors of Watertown, Inc. will serve as the Sub-Recipient of the funds for program administration, and

WHEREAS a Sub-Recipient Agreement between the City of Watertown and Neighbors of Watertown, Inc. for the CDBG funds has been prepared,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Sub-Recipient Agreement with the Neighbors of Watertown, Inc. for the 2021 Homebuyer Program, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Sub-Recipient Agreement on behalf of the City Council for the 2021 Homebuyer Program.

**Secinded by Council Member Lisa A. Ruggiero and carried with all voting yea.**

**Resolution No. 10 - Approving the Community Development Block Grant (CDBG) Sub-recipient Grant Agreement with Neighbors of Watertown, Inc. for the 2021 Owner Occupied Rehabilitation Program**

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

WHEREAS the City of Watertown's Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2021 includes the rehabilitation of seven (7) substandard housing units within the City of Watertown, and

WHEREAS the Annual Action Plan identifies the Owner-Occupied Rehabilitation activity to be \$196,000 in funding for rehabilitation, administration and program delivery, and

WHEREAS Neighbors of Watertown, Inc. will serve as the Sub-Recipient of the funds for program administration, and

WHEREAS a Sub-Recipient Agreement between the City of Watertown and Neighbors of Watertown, Inc. for the CDBG funds has been prepared,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Sub-Recipient Agreement for program administration with the Neighbors of Watertown for the 2021 Owner Occupied Rehabilitation Program, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Kenneth A. Mix, is hereby authorized and directed to sign the Sub-Recipient Agreement and all contracts associated with implementing the award to Neighbors of Watertown, Inc. for the 2021 Owner Occupied Rehabilitation Program.

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

Prior to the vote on the foregoing resolution, Council Member Spaziani asked if the property remains on the tax roll with this program.

Mr. Mix explained that the homeowner applies for the funding to make repairs to this home and Neighbors of Watertown never takes ownership of the property.

Council Member Ruggiero presented a letter from a recipient of this funding during a prior year and the difficulty that he has had getting the work completed because the funding ran out. She asked what kind of oversight there is with Neighbors of Watertown and this program.

Planning and Community Development Director Michael Lumbis stated he has spoken to this individual and is aware of the situation. He supplied further details to Council, noting that the additional work was

arranged to be completed this fall, but the property owner had concerns with roof work being done so late in the season. He indicated that he would work with both parties to resolve this.

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

**Resolution No. 11 - Finding That Amending the Approved Plan and Approving the Site Plan for Planned Development District #24, Parcel Number 13-18-103.200 Will Not Have a Significant Impact on the Environment**

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

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance for the Planned Development District amendment application submitted by Diana Woodhouse, CEO of Hospice of Jefferson County to amend the approved plan for Planned Development District #24 located at 1398 Gotham Street, Parcel Number 13-18-103.200, and

WHEREAS the applicant is also proposing the construction of a 3,600 SF four-bedroom building addition, a 1,400 SF solarium building addition, a new entrance drive and expanded parking area at the same location, and has submitted an application for site plan approval, and

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

WHEREAS the approval of the amendment and site plan constitutes such an “Action,” and

WHEREAS the City Council has determined that amending the approved plan for Planned Development District #24 and the construction of the proposed improvements 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 amendment and site plan will have a significant impact on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by the applicant, 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 amendment to the approved plan for Planned Development District #24 and the approval and construction of the site plan 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.

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

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

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

**Resolution No. 12 - Finding That Changing the Approved Zoning Classification of 116 and 112 Woodruff Street from Residence B to Health Services and Establishing a 4,050 SF Construction Material Staging Area at 116 Woodruff Street Will Not Have a Significant Impact on the Environment**

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

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance to change the approved zoning classification of 116 and 112 Woodruff Street, Parcel Numbers 14-01-104.000 and 14-01-103.000, from Residence B to Health Services and

WHEREAS the Planning Board has before it an application for a Waiver of Site Plan Approval, submitted by Matthew R. Morgia, P.E. of Aubertine and Currier Engineers, Architects and Land Surveyors, PLLC on behalf of Samaritan Medical Center, to redevelop 116 Woodruff Street into a 4,050 square-foot (SF) construction material staging and storage area, and

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

WHEREAS the approval of the Zone Change and approving the Waiver of Site Plan Approval for the proposed construction material staging and storage area constitutes such an "Action," and these actions are closely related enough to constitute a "Whole Action," and

WHEREAS the City Council, as the Lead agency in this SEQRA Environmental Review, must consider the "Whole Action" in order to avoid segmenting the review, and

WHEREAS the City Council has determined that changing the zoning classification of this property and that the Planning Board approving the Waiver of Site Plan Approval 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 zone change and construction will have a significant impact on the environment, Part 1 of a Short Environmental Assessment Form has been prepared by the applicant, 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 zone change and the construction of a construction material staging and storage area 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.

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

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

Council Member Spaziani expressed concerns, stating that Samaritan Medical Center has taken possession of almost the whole street and they are a not-for-profit organization not paying property tax.

Mr. Lumbis provided more details regarding the application for 116 Woodruff Street and explained that 112 Woodruff Street was included by staff to prevent “reverse spot zoning” since it would be the only Residence B property on the street. He also assured Council that the property at 112 Woodruff Street is aware of the zone change and has had concerns over the possible effect on assessment value addressed.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Leonard G. Spaziani voting nay.**

**Resolution No. 13 - Endorsement of Jefferson Community College Entrepreneur Education Initiative**

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

WHEREAS in 2017, the City of Watertown included Jefferson Community College’s TechSpace proposal in the City’s Downtown Revitalization Initiative (DRI) submission to the State of New York, and

WHEREAS in 2018, the State of New York awarded DRI funding to the City of Watertown that included \$1.2 million for the College’s project, and

WHEREAS in 2019, the College received an additional \$1.3 million for its DRI project from the State of New York, and

WHEREAS in 2021, Jefferson Community College revised the original TechSpace plan and will develop an entrepreneur education initiative in partnership with Neighbors of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby endorses the College's plan to utilize DRI funding and create an off-site entrepreneurship center in partnership with Neighbors of Watertown.

**Seconded by Council Member Sarah V.C. Pierce**

Prior to the vote on the foregoing resolution, Council Member Spaziani expressed concern over this coming before Council so quickly. He also questioned the location of the project and whether it was the best place for it. He said he would like this discussed further at next week's work session.

Mayor Smith explained that this is not a new project and Jefferson Community College (JCC) applied and was awarded DRI funding under Mayor Butler's timeframe. He also explained that this is not City funding, and it is a private project so the City cannot tell them where to do it. He said he supports this because it cleans up the proposed property.

Mr. Lumbis added that the State announced the projects that were awarded in the fall of 2018.

There was further discussion as to the quick decision made by the State and JCC to revitalize this project after JCC had originally declined the funding.

Mayor Smith pointed out that this is funding from the State, not the City, and that this resolution only shows support for the project from the Council's standpoint.

Council Member Ruggiero advised that she is a Board Member of JCC Foundation, which will be contributing to the funding as well, so she will abstain from voting.

Further discussion occurred regarding not-for-profit organizations and whether they pay property taxes.

Mr. Mix clarified that just because an organization is not-for-profit does not mean it is tax-exempt and it depends on the use of the property. He added that if a not-for-profit organization rents space to a for-profit organization, then it is taxable.

Council Member Pierce expressed her support for the project, stating she is glad the funds are going towards the project that it was intended to.

Council Member Henry-Wilkinson added that he will support it and is happy the money will be spent locally.

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

## **OLD BUSINESS**

**The Ordinance Amending the Approved Plan for Planned Development District #24, Parcel Number 13-18-103.200.** *(Introduced on 11/15/202; public hearing held this evening; appears in its entirety in the 2021 Minutes Book on page 10-11 of the 11/15/2021 minutes).*

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

**The Ordinance Changing the Approved Zoning Classification of 116 and 112 Woodruff Street, Parcel Numbers 14-01-104.000 and 14-01-103.000 From Residence B to Health Services.** *(Introduced on 11/15/202; public hearing held this evening; appears in its entirety in the 2021 Minutes Book on page 10-11 of the 11/15/2021 minutes).*

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea except Council Member Leonard G. Spaziani.**

## **STAFF REPORTS**

### **Sale of Surplus Hydro-electricity – October 2021**

A report was available for Council's review. Mayor Smith said the City has had a tremendous year so far for hydro revenue, noting that a few years back was not a good year.

In response to Mayor Smith's question, City Comptroller James Mills confirmed that the 10-year average has been consistent.

### **Sales Tax Revenue – October 2021**

A report was available for Council's review and Mayor Smith stated that sales tax revenue is doing well this year.

### **Year-end Financial Report**

Mr. Mills explained that in the General Fund for Fiscal Year 20-21 there will be an increase to the fund balance of approximately \$5.5 million. He said this is mainly due to three components: Budget-to-actual sales tax is up \$5.5 million; Hydro was down about \$1.4 million; and State AIMS funding for last year was approximately \$1 million higher to make up for the prior amounts that were withheld in the last two years. He summarized that the fiscal year finished with approximately \$16.5 million in the General Fund fund balance. He clarified that this amount does not include any ARPA funding and explained that the ARPA funds show as deferred revenues because the City has not earned them or spent them on anything yet.

Mr. Mix explained that the reporting of the ARPA funds will depend on how Council decides to use them, noting that it can be used for current budgeted items or it can be used for new expenditures. Regarding the \$16 million fund balance, he said this is much more than what is needed in fund balance so Council needs to discuss whether it should be moved to reserve accounts, which will save it for other things at later dates. He explained available types of reserve funds, in particular the Contingency Tax Stabilization Fund and a Capital Reserve Fund. He further explained their uses and the rules in place for using the funds in each of these reserve funds, noting the most that could be put towards the

Contingency Tax Stabilization Fund is \$4.5 million. He advised the City should keep \$10 - \$11 million in the fund balance, noting approximately \$8 million is for cash flow purposes and the rest would be for volatility in revenue streams.

Mayor Smith explained for the public's benefit that \$7.5 million in the fund balance is the City's operating capital and if the City did not have that, then it would need to borrow money for payroll and expenses, which would come with interest payments.

Mr. Mix noted that part of this is because of when the City gets the State AIMS funding in the end of the fiscal year in June.

Council Member Pierce wondered if money should be put in both of these types of funds.

Mr. Mills recommended Council max out the Tax Stabilization Fund and put a couple million in a capital reserve fund. He clarified that the Tax Stabilization Fund was established in 2017 but it was not until this year's budget that the City contributed to it.

In response to Council Member Henry-Wilkinson's concerns that a future Council could raid this fund, Mr. Mix explained the rules on how money can be withdrawn from the fund, noting that it requires a public hearing and a 4/5ths vote from Council.

Mayor Smith asked whether Council would like to proceed with putting money into the funds, as recommended by Mr. Mix and Mr. Mills, in order to protect the City in the future.

Council Member Pierce commented that it is an unprecedented situation in that the City has this type of funding now and should be looking ahead to the challenges coming in the future. She said it would be smart to do this.

Council Member Henry-Wilkinson noted that the stabilization fund is a good investment, but he would feel better leaving the decision for the next Council.

Council Member Ruggiero said it would be nice to go over this in more detail with the new Council come January.

Mayor Smith asked for one of the first Council work session to be dedicated to this topic.

### **Board and Commission Appointments**

A report was available for Council's review.

## **NEW BUSINESS**

### **Christmas Parade**

Each member of Council stated that this was a very nice event and thanked all that was involved in putting it together.

### **Zoning Rewrite Committee**

Noting that he will not be on Council next year, Council Member Henry-Wilkinson provided an update regarding this committee. He indicated that a presentation will be done for Council in the beginning of next year.

Mayor Smith asked Council Member Henry-Wilkinson to continue to act as the liaison to Council into the next year.

### **Public Art Committee**

Council Member Pierce reported that they have met and reviewed the applications that were received. She indicated that Senior Planner Jennifer Voss will be contacting the artists and then this will be put out for public input.

### **Bus Stop Signs**

Responding to comments during Privilege of the Floor, Council Member Ruggiero asked for the status of the completion of the bus stop signs installation.

Transit Director Kyle Meehan explained there was a problem with the production of the signs so this project was delayed, but they are working on it.

### **Lawyer for Assessment Cases**

Council Member Ruggiero commented that the City has used Attorney James Burrows for many years to handle assessment cases and she recently found out that he was dismissed. She asked for the reason for this and why Council was not informed.

Mr. Mix explained there have been issues with past cases. He noted that Attorney Burrows was not handling the cases and had given the work to another attorney within the firm. He indicated that the new legal firm has a different rate but will be more efficient because they specialize in this type of law.

Further discussion took place regarding whether Council should be the one to approve outside attorneys and made aware of potential issues occurring.

Mr. Mix explained that the City Assessor reported the problems to him, and they decided it was time for a change.

### **Update on Fire Truck Replacements**

In response to Mayor Smith's question, Mr. Mills advised that the ladder truck was already bonded for but the engine truck was not. He added that it will be included in the round of bonds that he will be doing in the springtime.

Fire Chief Timerman provided an update regarding the purchase of the ladder truck and the reasons for the delay, stressing that he requested additional inspections. He advised that it is currently under budget and the timeframe for delivery is approximately 390 days. Regarding the engine truck, he noted the budget was set up \$620,000 but pricing has gone up significantly so it may not come in under budget.

Mayor Smith stressed that he wanted to ensure they were being built to handle this climate and the salt on the road during winter months.

**Second Entrance Road for Industrial Park**

Mayor Smith noted the Industrial Park is almost full. He discussed Renzi Foodservice's recent expansion and that when this business originally located within the Park, they were told that a second entrance would be built. Mayor Smith stressed that there is more truck traffic due to the expansion and the expected increase in use of the new rail spur, and he advised that Council should decide if it wants to move forward with the second entrance and provide direction to staff. He added that there are safety issues with only having one entrance. Mentioning aid that might be available for funding, he suggested creating a street that would connect to the plaza containing Farm and Tractor Supply Store.

Council Member Spaziani suggested connecting it to Willow Street since it is a shorter distance.

Council Member Ruggiero said she does not think the City should pay for it in full and she would like to partner with other funding sources. She added that she is open to discussing it further in order to look at options and costs.

Council Member Pierce agreed there is a need and it is worth looking into.

Further discussion took place regarding possible funding opportunities and the special conditions placed on the wetlands in the area.

**December Work Session**

Council agreed to not hold a work session next week and wait until the new Council is here in January.

**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 Ryan J. Henry-Wilkinson, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.**

*Ann M. Saunders*  
City Clerk