

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 1, 2022
7:00 p.m.**

Mayor Jeffrey M. Smith Presiding

Present: Council Member Patrick J. Hickey
Council Member Clifford G. Olney III
Council Member Sarah V.C. Pierce
Council Member Lisa A. Ruggiero
Mayor Jeffrey M. Smith

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

City staff present: Michael Delaney, Brian Phelps, Tina Bartlett-Bearup, Michael Demarco, Kyle Meehan, Jen Voss

The City Manager presented the following reports to Council:

- Resolution No. 1 - Readopting Fiscal Year 2022-23 General Fund Budget – Emerald Ash Borer Treatment
- Resolution No. 2 - Naming Main Football Field at Fairgrounds “George Ashcraft Field”
- Resolution No. 3 - Authorizing Abate of Code Enforcement Surcharge Re-levied on Tax Bill for 10 Seymour Street
- Resolution No. 4 - Authorizing Intent to Apply to Restore NY – 75-79 Public Square and 146 Arsenal Street
- Resolution No. 5 - Approving the Proposal Letter for Additional Services for the Flynn Pool and Bathhouse Facility Assessment and Feasibility Study, C&S Companies
- Resolution No. 6 - Approving Amendment No. 3 to the Professional Service Agreement for the Western Outfall Trunk Sewer Upgrade GHD Consulting Services, Inc.
- Resolution No. 7 - Finding that Changing the Approved Zoning Classification of 1008 Glen Street, Parcel Number 09-12-102.100 From Residence B to Commercial Will Not Have a Significant Impact on the Environment
- Resolution No 8 - Settling Proceeding to Review Real Property Assessment Challenge at 301 Arsenal St, Watertown, NY 13601 Parcel No. 10-03-121.000
- Ordinance No. 1 - An Ordinance Authorizing the Issuance Of \$600,000 Bonds Of the City of Watertown, Jefferson County, New York, to Pay the Cost Of the Replacement of the Roofs at the City’s Water Treatment Plant, in and for Said City
- Public Hearing - An Ordinance Changing the Approved Zoning Classification of 1008 Glenn Street, Parcel number 09-12-102.100 from Residence B to Commercial

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 July 18, 2022, was dispensed and accepted as written by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

COMMUNICATIONS

An email was received from Gail Smiley, stating she is opposed to the proposed zone change from residential to commercial at 1008 Glen Street.

A letter was received from Roger Farney in opposition to Watertown having a third pool, suggesting that the funds be spent towards maintaining City streets and other infrastructure.

Above communications were placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

Donnie Lee Barrigar, Adams Center, invited the Mayor and Council Members to come to the bus station on Saturday to see the third boycott in protest of the mask mandate.

Mary Ellen Blevins, 719 Washington Street, spoke in opposition to spending the money on opening the Flynn pool, warning of increased costs due to inflation and volatile economy. Mentioning that the City already has two pools and a small splashpad, she suggested putting the money towards a more elaborate splashpad. She noted that some Council Members ran on a campaign promise to have three pools, but the economy has changed since that promise was made. She also gave verbal support for Attorney Slye as the City's attorney, stating that he does a good job.

Jason Traynor, 424 Arsenal Street, spoke of his protest with the bus system, stating that he was not allowed to ride because he would not comply with the mask mandate. He also spoke about racism and racial remarks made about his wife because she is Asian. He said racism in the community needs to be dealt with and asked Council to address it.

Mary Henry, 521 Davidson Street, advised that she is the granddaughter of Mr. Flynn, for whom the north side pool was named and her family members recently donated money for benches and the work involved with a new pool sign. She spoke in support of reopening the Flynn pool.

Jonathan Phillips, 735 Mill Street, discussed the recent protest at the bus station regarding the mask mandate and said that it was holding up people from getting on the bus and delaying the routes. In regard to Flynn pool, he said he lives on the north side and supports spending the money towards the lowest bid to fix only the pool. Lastly, he mentioned a water issue on Phelps Street and suggested the City spend money on water, sewer and streets instead of beautifying Court Street and the downtown area.

Frank Battista, 201 Palmer Street, expressed concern with Council spending a lot of money with no ideas on how to generate new income. He said instead of duplicating services, Council should put the money towards fixing the water plant and dealing with the disinfection of the water issue.

Kevin Jordon, 22060 Riverbend Drive, indicated that he represents the YMCA board and the application for Restore NY funds. He provided a summary of the project and how it meets the criteria for the grant. He asked for Council's consideration for their application to the grant.

Seth LaBarge, 521 Jefferson Street, spoke in opposition to the mask requirement on the bus system, stating that the Police cannot arrest him for not wearing a mask. He also discussed an issue with his neighbor's property that he feels the City, in particular Code Enforcement, should be handling better.

PUBLIC HEARING

At 7:15 p.m. Mayor Smith asked the City Clerk to read the notice of Public Hearing concerning changing the approved Zoning Classification of 1008 Glenn Street, Parcel Number 09-12-102.100 from Residence B to Commercial

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

No one spoke.

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

RESOLUTIONS

Resolution No. 1 - Readopting Fiscal Year 2022-23 General Fund Budget – Emerald Ash Borer Treatment

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on June 6, 2022, the City Council passed a resolution adopting the Budget for Fiscal Year 2022-23, of which \$57,731,644 was appropriated for the General Fund, and

WHEREAS on July 18, 2022, City Council discussed providing funding to treat all of the City's remaining treatable ash trees to protect them from the Emerald Ash Borer, and

NOW BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2022-23 and makes the following adjustments in the re-adopted General Fund Budget:

GENERAL FUND

Appropriated Fund Balance:

A.0000.0909

Fund Balance

\$ 25,400

Expenditures:

A.5010.0430

Municipal Maintenance - Contracted Services

\$ 25,400

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council Member Pierce asked if this treatment takes care of the issue for two years and then it needs to be readdressed, and she wondered if it would be more cost effective to replace the ash trees with different trees.

Michael DeMarco, City Planner, explained the current process and that several trees have been replaced throughout the City. He noted that, depending on the situation, such as a street lined with all ash trees, it is better to treat versus replace them all. He confirmed that sometimes it is more cost effective to treat the best trees as long as they can. In response to Council Member Olney's question of whether this treatment will let the City get ahead of the situation, he said that doing anything is a benefit in helping to stop spread the infestation. He indicated that the last two treatments were paid for through grant funding, but there is not a funding plan going forward into the future years. He stressed that the City needs a long-term plan. He advised that he would like to save some of the better trees versus removing the whole canopy at once, but reminded Council that the treatment would have to be done again in two years.

Council Member Olney asked if the City would be able to determine which trees were more likely to be saved over time.

Mr. Demarco confirmed that they would be able to see which trees could be saved, and it will also allow all the trees to not be cut down at the same time. He discussed the cost of cutting a tree down and replacing it.

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

Resolution No. 2 - Naming Main Football Field at Fairgrounds "George Ashcraft Field"

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown maintains the main football field at Alex T. Duffy Fairgrounds where Watertown Red & Black plays, and

WHEREAS the Parks and Recreation Department received a request to formally name the main football field in honor of George Ashcraft, and

WHEREAS Mr. Ashcraft has dedicated four decades of his life to the Red & Black as a fan, player, coach, and owner,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby names the main football field at Alex T. Duffy Fairgrounds "George Ashcraft Field".

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

Resolution No. 3 - Authorizing Abate of Code Enforcement Surcharge Re-levied on Tax Bill for 10 Seymour Street

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown caused the grass to be mowed and snow to be cleared from the sidewalk at 10 Seymour Street after the owner of the property failed to comply with orders from the Code Enforcement Bureau, and

WHEREAS Patricia Fay purchased the Tax Sale Certificate for the property in June of 2021, and

WHEREAS unbeknownst to the Certificate Holder the charges for cutting the grass and clearing were re-levied on two tax bills, and

WHEREAS the Certificate Holder paid the first tax bill in full, and

WHEREAS the Certificate Holder has requested that the re-levied charges be waived on the second tax bill,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that 2022-2023 City property tax amount due for 10 Seymour Street, Parcel No. 3-09-309.000, be reduced by \$270 for the re-levied Code Enforcement Surcharge, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the above amount is hereby abated, and the City Comptroller is hereby authorized to mark his books and records accordingly.

Seconded by Council Member Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, City Manager Mix explained for Council Member Olney that the \$766.80 charge was multiple services for snow removal and grass cutting.

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

Resolution No. 4 - Authorizing Intent to Apply to Restore NY – 75-79 Public Square and 146 Arsenal Street

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown is eligible for grant funding under Round 6 of the Restore NY Community Initiative Grant Program, and

WHEREAS the Empire State Development Corporation (ESDC) must be notified of the City's Intent to Apply by August 11, 2022, and

WHEREAS two Intents to Apply may be submitted for this round of funding, and

WHEREAS the sponsors of two projects have indicated an interest in applying for Restore NY funds including: 624 Camp Avenue LLC for 75-79 Public Square and YMCA for 146 Arsenal Street,

NOW THEREFORE BE IT RESOLVED that the City Manager is authorized to submit Intent to Apply forms for Round 6 of the Restore NY Community Initiative Grant Program for 75-79 Public Square and 146 Arsenal Street.

Seconded by Council Member Patrick J. Hickey

Prior to the vote on the foregoing resolution, City Manager Mix explained, in response to Council Member Olney, that this resolution will authorize the Intent to Apply for both projects, which is due by August 10, but then Council will need to decide between the two projects for the actual application

deadline. In response to Council Member Olney's suggestion to consider the rehabilitation of 661 Factory Street as a project, he discussed the requirements for applying and said if the project is not ready at this time, then it should wait to be considered during the second round of funding.

Mayor Smith noted that this is a passthrough grant.

Council Member Pierce announced that she would be abstaining on this vote because one of the developers is her brother-in-law.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Sarah V.C. Pierce abstaining.

Resolution No. 5 - Approving the Proposal Letter for Additional Services for the Flynn Pool and Bathhouse Facility Assessment and Feasibility Study, C&S Companies

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on February 1, 2022, the City of Watertown requested a proposal from C&S Companies regarding an evaluation and feasibility study on the Flynn Pool and Bathhouse, and

WHEREAS C&S would evaluate Flynn Pool and determine a probable cost opinion for the two alternatives the City of Watertown would consider for the Flynn Pool and Bathhouse, and

WHEREAS on February 22, 2022, the City Council of the City of Watertown approved the Professional Service Agreement from C&S Companies, and

WHEREAS C&S Companies completed their evaluation and submitted their report along with an outside estimator's calculations for the two alternatives, and presented it at the City Council Work Session on July 11, 2022, and,

WHEREAS the City Council requested additional services from C&S Companies to determine approximate costs for other pool shapes and bathhouse construction, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Proposal Letter for Additional Services from C&S Companies in the amount of \$4,300, a copy of which is attached and made part of this Resolution, and

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

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Council Member Ruggiero asked if the timetable within the proposal was flexible.

Patrick Currier, C&S Companies, explained that the timeline is flexible depending on the final scope of the project, but stressed that it is not achievable to be completed by next spring.

Council Member Ruggiero said she would be interested in knowing the cost of enclosing the pool to make it year-round.

Council Member Olney agreed with Council Member Ruggiero, stating that it would provide an extended season for the pool.

Mayor Smith warned that this proposal does not include design plans for enclosure.

In response to Council Member Ruggiero's inquiry about the Flynn pool being ten feet deep and whether that is needed, Mr. Currier indicated the depth of the Thompson Park pool is eight feet.

Council Member Pierce provided her reasons why she did not support a third pool in the City and stated she would prefer a recreational asset to serve that side of the City that is a hybrid of an ice rink and splash pad. In regards to the school district having pools available for use, she noted that other local municipalities have agreements with their school districts to allow free swim for the public.

Mayor Smith reiterated that the proposal in front of Council for consideration does not include looking at enclosing the pool, and if this proposal was not changed to include it, then he wanted to make this clear so that people are not upset when the design for that additional work is not done.

At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Sarah V.C. Pierce and Mayor Jeffrey M. Smith voting nay.

Resolution No. 6 - Approving Amendment No. 3 to the Professional Service Agreement for the Western Outfall Trunk Sewer Upgrade GHD Consulting Services, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on November 19, 2018, the City Council approved the Professional Services Agreement and Amendment No. 1 of that agreement with GHD Consulting Services, Inc., for a cost not to exceed \$75,000, for design services to evaluate the Western Outfall Trunk Sewer (WOTS) for infiltration and inflow, selective pipe investigations, sewer manhole inspections, flow metering, sewer modeling and preliminary design concepts, and

WHEREAS GHD Consulting identified 63 manholes on the WOTS that need repair and rehabilitation, and

WHEREAS on April 4, 2022, the City Council approved the Professional Services Agreement Amendment No. 2 with GHD Consulting Services, Inc. in the amount of \$16,500 to prepare design plans and specifications for the repair and rehabilitation of the 63 manholes identified, and

WHEREAS GHD has submitted a proposal for Amendment No. 3 of that agreement to assist with bid and construction contract administration services for the project for a cost of \$36,500,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 3 of the Professional Service Agreement with GHD Consulting Services, Inc. in the amount of \$36,500, a copy of which is attached and made part of this Resolution, and

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

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

Resolution No. 7 - Finding that Changing the Approved Zoning Classification of 1008 Glen Street, Parcel Number 09-12-102.100 From Residence B to Commercial Will Not Have a Significant Impact on the Environment

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance to change the approved zoning classification of 1008 Glen Street, Parcel Number 09-12-102.100 From Residence B to Commercial 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 constitutes such an “Action,” and

WHEREAS the City Council has determined that changing the zoning classification of this property 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 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 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 Sarah V.C. Pierce

Prior to the vote on the foregoing resolution, Council considered Part 2 of the Short Environmental Assessment Form and the answer to questions 1, 2, 3 and 5 resulted with a moderate to large impact.

Further discussion occurred on the process of Part 3 of the Short Environmental Assessment Form and Attorney Slye provided advice on how Council should proceed with those answers.

Mr. Mix reminded Council that this resolution deals with the environmental impact and if Council wants to vote against the zone change, it would be done through the ordinance appearing later in the agenda and not through the SEQRA resolution.

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 8 - Settling Proceeding to Review Real Property Assessment Challenge at 301 Arsenal St, Watertown, NY 13601 Parcel No. 10-03-121.000

Introduced by Council Member Lisa A. Ruggiero

WHEREAS certain premises previously owned by 909 Ave T. LLC, in the City of Watertown at 301 Arsenal St, Parcel No.: 10-03-121.000 is assessed for the following years:

2016–2019	Parcel #: 10-03-121.000	\$2,234,000
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and,

WHEREAS proceedings were instituted in the Supreme Court to review the assessments for tax years 2016, 2017, 2018 & 2019, and

WHEREAS the parties have agreed that the assessment for the following years shall be reduced and set as:

2016	Parcel #: 10-03-121.000	\$1,840,000
2017	Parcel #: 10-03-121.000	\$1,840,000
2018	Parcel #: 10-03-121.000	\$1,900,000
2019	Parcel #: 10-03-121.000	\$2,234,000

and,

WHEREAS, as part of the settlement the plaintiff also agrees to discontinue the assessment challenges for years 2016, 2017 & 2018 for property located at 842 State St, Parcel 12-06-326.000 and,

WHEREAS a compromise and settlement of the aforesaid proceedings upon the above basis is deemed in the best interest of the City,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the City attorneys of the City of Watertown be and are hereby authorized, empowered and directed to enter into a formal Stipulation & Order of the aforesaid proceedings with plaintiff's counsel on the following terms and conditions:

1. The total assessment of the subject property shall be set for the following years as follows:

2016	\$1,840,000
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2017	\$1,840,000
2018	\$1,900,000
2019	\$2,234,000

2. That the above adjustment may result in rebates for taxes paid in excess of the amounts that would have been due based on the adjusted assessments.
3. That an Order of the Supreme Court shall be made and entered settling the aforesaid proceeding to review said assessment without costs to either party as against the other and upon the terms and conditions set forth above, and

BE IT FURTHER RESOLVED that the City Assessor and all other municipal officers, agents or employees be and they hereby are directed to do such acts and things as may be necessary to give full force and effect to the aforesaid settlement, and

BE IT FURTHER RESOLVED this Resolution shall take effect immediately.

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

ORDINANCES

Ordinance No. 1 - An Ordinance Authorizing the Issuance Of \$600,000 Bonds Of the City of Watertown, Jefferson County, New York, to Pay the Cost Of the Replacement of the Roofs at the City's Water Treatment Plant, in and for Said City

Introduced by Council Member Lisa A. Ruggiero

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

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

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

Section 1. For the class of objects or purposes of paying the cost of the replacement of the roofs at the City's Water Treatment Plant, including incidental expenses in connection therewith, there are hereby authorized to be issued \$600,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$600,000 and that the plan for the financing thereof is by the issuance of the \$600,000 bonds of said City authorized to be issued pursuant to this bond ordinance.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is forty years, pursuant to subdivision one of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

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

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

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

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at the sole discretion of the City Comptroller, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation. The authorization in this Section 9 shall also extend to any other bonds or notes authorized to finance improvements to the Water Treatment Plant, including the \$3,000,000 obligations authorized July 18, 2022 for this purpose.

Section 10. The intent of this ordinance is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes without resorting to further action of the City Council.

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. This ordinance shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this ordinance, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. The validity of such bonds and bond anticipation notes may be contested only if:

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

Section 14. This ordinance, which takes effect immediately, shall be published in full in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Seconded by Council Member Sarah V.C. Pierce

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

Council Member Olney posed several questions in regard to the condition and lifespan of the roof and indicated that he would like to view the roof himself since he has only seen pictures of it. He said he has concerns with how the roof was installed.

City Engineer Michael Delaney said that he could arrange a site visit, but they would need to follow safety protocols. He responded to the questions about the condition and lifespan of the roof, stressing that if it is not replaced, it could cause more structural damage. In response to Council Member

Ruggiero's inquiry on the policy for checking and clearing roof drains, he said there is not a set standard, but they should be checked once or twice a year. He noted that it did not appear that these drains were clogged but water does pool on the roof.

Council Member Olney commented that he wondered if the City is replacing things too soon based on the term "period of probable usefulness" being used to describe things. He asked if City staff could perform this work.

Mr. Mix explained that City staff is not specialized in roofing work.

Council Member Olney suggested tabling the ordinance until he was able to walk the roof to see its condition.

Mayor Smith remarked that he thought the professional engineering department was doing a thorough job in making their recommendations. He added that with the current state of the economy, interest rates are going up so delaying this could cost the City more money. Lastly, he mentioned that he has heard the negative comments accusing Councils of putting off maintenance on facilities in the past and this replacement is staff's recommendation.

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

OLD BUSINESS

An Ordinance Changing the Approved Zoning Classification of 1008 Glen Street, Parcel number 09-12-102.100 from Residence B to Commercial. *(Introduced on July 18, 2022; public hearing held this evening; appears in its entirety in the 2022 Minutes Book on page 4-5 of the 7/18/2022 minutes).*

Council Member Ruggiero said she attended the Planning Board meeting, and all members votes against this. She added that there is a lot of opposition to this zone change and informed Council of what happened at the Planning Board meeting and the County's Planning Board meeting. She listed her reasons for not supporting this.

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

STAFF REPORTS

No staff reports

NEW BUSINESS

New Purchasing Manager

Mr. Mix introduced Tina Bartlett-Bearup as the new Purchasing Manager.

Recent Meetings and Upcoming Events

Council Member Hickey announced the following upcoming meetings and events: WARM virtual meeting on August 3, Council Work Session to review the zoning changes on August 8, Zoning Ordinance Update Open Houses on August 9, Advantage Watertown meeting on August 11, and Neighborhood Watch meeting on August 14.

Community Anti-Drug Coalition of America (CADCA) Conference

Council Member Hickey said that he attended this conference and gave an overview of his time there. He mentioned the various training sections and spoke of the One Pill Can Kill program. He indicated that the presence of Fentanyl is increasing and listed the most commonly counterfeited drugs as Oxycodone, Adderall and Xanax. He reviewed the statistics for drug overdose deaths in 2021 and discussed the trend for hallucinogens and daily use of marijuana.

Block Party

Council Member Olney thanked City staff who were involved in putting this together, especially DPW staff for their quick cleanup after it finished.

Council Member Ruggiero and Mayor Smith added similar comments later in the meeting, agreeing that it was a wonderful event.

Court Street Revitalization Groundbreaking

Council Member Olney mentioned that the groundbreaking for this project occurred and that he is glad to see it get started.

Racism – Comments from Privilege of the Floor

Council Member Olney said he feels he embraces diversity and that is the reason he supported the third flagpole.

Third City Pool – Comments from Privilege of the Floor

In regard to comments about a third pool for the City, Council Member Olney commented that this “will get built” and he is looking to generate more income through the investment in recreation.

Native American Flag Request – Comments from Privilege of the Floor

Council Member Olney said that he would support flying a Native American Flag and explained that the request needs to go through the Mayor’s Office.

Complaint About CSX Rail Ties

Council Member Olney told the City Manager that he has received a complaint and will forward the information to him.

Communications Director Position

Council Member Olney said he supports adding a new Communications Director position in order to get the word out about events and what the City is doing.

Jefferson Street Issue – Comments from Privilege of the Floor

Council Member Olney said he will look into the issue.

Later in the meeting, Mayor Smith asked the City Manager to provide Council with an update of the situation.

Parking on Green Street

Council Member Olney stated that he was contacted about parking on both sides of the street being a problem on Green Street during events.

Bus Protest Due to Mask Mandate – Comments from Privilege of the Floor

Council Member Olney agreed with Mr. Phillips' comments and said that someone using the bus system to express their opinion over wearing a mask and causing delays only inconveniences the other people using the bus system. He added that the City is not going to risk losing funding by not complying with the mask mandate.

Clearing of Thompson Park

Council Member Olney mentioned the clearing done at the Park and said that he is amazed at how well it looks. He suggested running a drone through the trail system for advertising and publish a brochure marketing the trail system.

Homeless at J.B. Wise

Council Member Pierce mentioned that she has received complaints about the after-hour use of the pavilion.

Mr. Mix said the problem with homelessness and drug use is that it will just move to another location. He also said that there are no hours of use posted at the pavilion and Council would have to pass an ordinance to make it enforceable.

Council Member Pierce remarked that the evidence of drug use is concerning, in particular the needles left behind.

Later in the meeting, Mayor Smith asked if anything could be done in terms of loitering and wondered if the electrical outlets could be turned off at night, which would stop people from going there to use the electricity.

Eclipse Meeting

Council Member Pierce mentioned the next meeting and that they are looking for ideas to do broader marketing. She explained she spoke with the Tourism Council for assistance and noted that Council may need to allocate more funds for marketing.

Water Treatment Disinfection By-Products – Comments from Privilege of the Floor

Regarding the comments that funds should go towards fixing this problem instead of building a third pool, Council Member Ruggiero advised that Council recently approved a \$3 million bond for this project. She asked for an update.

Mr. Mix explained that the contractor, GHD, is making arrangements to bring in the equipment and they should have a preliminary report in January so that additional funding can be applied for through grants.

Council Member Ruggiero said she wanted the public to be aware that this issue is being addressed.

Fire Department Staff Promotions

Council Member Ruggiero indicated that the Deputy Fire Chief and other Captains were officially recognized for their promotion at a recent ceremony.

Bus Protest Due to Mask Mandate – Comments from Privilege of the Floor

Council Member Ruggiero addressed these comments as well, stating that it is not fair to hinder other people from trying to get somewhere, especially if it is to their employment. She stressed that the City cannot control the mask mandate since it is a federal requirement. She asked if the City can ban people from the bus system.

Attorney Slye indicated that the City can ban someone if they are being disruptive and then if the person does not leave they can be arrested for trespassing.

Water Treatment Disinfection By-Products – Comments from Privilege of the Floor

Mayor Smith added that this is a pilot program to determine a resolution to the problem, so it will result in additional work and additional costs to be invested on the solution.

Thank you to Staff

Mayor Smith commended staff for the good work that they continue to do for the City. He mentioned the recent concerns with the supply chain for pipes for the water project, noting that staff ordered ahead of time. He also said the work that is being done in Thompson Park looks very nice.

Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss collective bargaining.

Motion was seconded by Council Member Sarah V.C. Pierce and carried with all voting in favor thereof.

Council moved into Executive Session at 9:00 p.m.

Council reconvened at 9:32 p.m.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 9:32 p.m. by motion of Council Member Patrick J. Hickey, seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof.

Ann M. Saunders
City Clerk