

**CITY COUNCIL MEETING
CITY OF WATERTOWN
January 2, 2024
7:00 p.m.**

Mayor Sarah V.C. Pierce Presiding

Present: Council Member Robert O. Kimball
Council Member Clifford G. Olney III
Council Member Lisa A. Ruggiero
Council Member Benjamin P. Shoen
Mayor Sarah V.C. Pierce

Also Present: Eric F. Wagenaar, City Manager
Kristen E. Smith, Bond, Schoeneck & King PLLC, City Attorney
(via video conference)

City staff present: James Mills, Meredith Griffith, Michael Lumbis, Jennifer Voss, Logan Eddy

The City Manager presented the following reports to Council:

- Resolution No. 1 - Designating Depositories of City Funds for 2024
- Resolution No. 2 - Accepting Bid for Fairgrounds Grandstand Split Face CMU Replacement Repair & Restoration Project – Powis Contracting, Inc.
- Resolution No. 3 - Approving Inter-Municipal Agreement for Drug and Alcohol Testing with BOCES
- Resolution No. 4 - Readopting Fiscal Year 2023-24 General Fund Budget to Add a Temporary Police Department Lieutenant Position
- Resolution No. 5 - Approving Supplemental Agreement No. 1 with C&S Engineers, Inc., for Newell Street Utility Bridge Maintenance Repairs
- Resolution No. 6 - Extending the Artist Agreement with David Grieco for the DRI Public Art Project
- Resolution No. 7 - Establishing Procedures for Public Access to Records of the City of Watertown, NY
- Resolution No. 8 - Authorizing and Endorsing an Application for Grant Funding Through the New York State Department of Environmental Conservation's Urban and Community Forestry Program
- Resolution No. 9 - Approving Change Order No. 3 with Northern Tier Contracting for 2022 Fire Station Upgrades to Stations 1, 2, and 3 Project
- Resolution No. 10 - Accepting a Grant from the Department of Health to Improve the Water Treatment Plant
- Resolution No. 11 - Accepting Bid for Ohio Street Water Main Replacement Project – Edge Civil Corporation
- Resolution No. 12 - Accepting Bid for Winslow Street Water Main Replacement Project – Edge Civil Corporation
- Elected and Appointed Officials, NYS Retirement System, New Regulation Reporting Requirements

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of December 18, 2023, was dispensed and accepted as written by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III, and carried with all voting in favor thereof.

COMMUNICATIONS

A letter was received from Steve Massaro, Director of New York Rivers United, regarding the reconstruction of the Newell Street Sewage Utility Bridge and stating that this represents an opportunity to address critical infrastructure needs while enhancing the scenic and visual quality of the river corridor and fulfilling goals of the upcoming Local Waterfront Revitalization Program (LWRP). He asked Council to consider including the removal and relocation of the gravity utility passage, and if required, the installation of a lift station.

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

PRIVILEGE OF THE FLOOR

Jason Traynor, 424 Arsenal Street, spoke to the new Mayor and Council Members and questioned what their plans were to grow the City. He discussed the City's financial issues and his concerns with Council approving salary increases for Watertown Housing Authority employees at a previous meeting.

Jonathan Phillips, 735 Mill Street, expressed his concerns with the delays in the bus route, bus employees wanting increased pay, and the need to extend the time that buses run. He also discussed the poor conditions at the Watertown Housing Authority apartments and his desire to see a house on East Hoard Street redeveloped. Lastly, he suggested putting solar panels on the roofs of buildings within the City.

RESOLUTIONS

Resolution No. 1 - Designating Depositories of City Funds for 2024

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Section 30 of the City Charter requires the City Council to designate each year at its first meeting some incorporated bank or banks or trust company located in the City of Watertown for the deposit of all moneys belonging to the City,

NOW THEREFORE BE IT RESOLVED that the following banks be and they are hereby designated as depositories of the City of Watertown, New York, for the year beginning January 1, 2024 and ending December 31, 2024:

Community Bank, N.A.
Key Bank
WSB Municipal Bank

And,

BE IT FURTHER RESOLVED that Community Bank, N.A., Key Bank and WSB Municipal Bank each be required to either execute a bond delivered to the City of Watertown, New York, as approved collateral or to deposit at a mutually agreed upon depository approved collateral of a value up to FIFTY MILLION DOLLARS (\$50,000,000).

Seconded by Council Member Clifford G. Olney III and carried with all voting yea.

Resolution No. 2 - Accepting Bid for Fairgrounds Grandstand Split Face CMU Replacement Repair & Restoration Project – Powis Contracting, Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City desires to repair and restore the existing split face concrete masonry unit westerly wall of the Fairgrounds Grandstand due to severely deteriorated and missing façade surfaces as well as mold and cracked surface areas, and

WHEREAS the Purchasing Department advertised and received four (4) sealed bids for the Fairgrounds Grandstand Split Face CMU Replacement Repair and Restoration Project, and

WHEREAS on December 7, 2023, at 2:00 p.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering and Parks & Recreation Departments and it is their recommendation that City Council accept the lowest responsive responsible bid submitted by Powis Contracting, Inc., and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Powis Contracting, Inc. in the amount of \$34,942.75, and

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

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Council Member Olney questioned why there was such a difference between the lowest bid and the second lowest bid.

Civil Engineer II Meredith Griffith explained the bids were fully reviewed and compared by staff and staff was comfortable with the contractor who submitted the lowest bid, although they could not explain the difference in pricing.

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

Resolution No. 3 - Approving Inter-Municipal Agreement for Drug and Alcohol Testing with BOCES

Introduced by Council Member Lisa A. Ruggiero

WHEREAS Jefferson, Lewis, Hamilton, Herkimer, Oneida BOCES is a duly constituted Board of Cooperative Educational Services formed pursuant to the provisions of Article 40 of the New York State Education Law, and

WHEREAS City of Watertown is a municipal corporation formed pursuant to the laws and the Constitution of the State of New York, and

WHEREAS New York State General Municipal Law, Article 5-G (§§119-m through 119-oo) authorizes the Parties to each enter into an inter-municipal cooperation agreement (“ICA”) to carry out any function or responsibility each has authority to undertake alone, and

WHEREAS BOCES provides drug and alcohol testing in conformity with the United States Department of Transportation regulations, and

WHEREAS City desires to use BOCES as the provider of its random, post-accident, and reasonable suspicion testing, and

WHEREAS BOCES has provided this service for the City in the past, and

WHEREAS an Inter-Municipal Agreement with BOCES to provide drug and alcohol testing services has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Inter-Municipal Agreement for drug and alcohol testing with Jefferson-Lewis-Hamilton-Herkimer-Oneida Board of Cooperative Educational Services, a copy of which is attached and made part of this resolution, and

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

Seconded by Council Member Clifford G. Olney III and carried with all voting yea.

Resolution No. 4 - Readopting Fiscal Year 2023-24 General Fund Budget to Add a Temporary Police Department Lieutenant Position

Introduced by Council Member Lisa A. Ruggiero

WHEREAS on June 5, 2023 the City Council passed a resolution adopting the Budget for Fiscal Year 2023-24, of which \$54,436,090 was appropriated for the General Fund and,

WHEREAS the City of Watertown Police Department is presently operating under its FY 2023-24 Budget of sworn 72 police personnel of which five (5) are to be Lieutenants and forty-eight (48) are to be Officers, and

WHEREAS there is currently one Lieutenant on medical leave who is applying for a retirement disability, and

WHEREAS Chief Donoghue is requesting permission to promote a current staff member into the position of Lieutenant thereby exceeding the number of budgeted lieutenants by one,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the temporary promotion of one staff member to a Lieutenant position bringing the total number of Lieutenants to six (6) and reducing the number of Officers by one to forty-seven (47).

Seconded by Council Member Clifford G. Olney III and carried with all voting yea.

Resolution No. 5 - Approving Supplemental Agreement No. 1 with C&S Engineers, Inc., for Newell Street Utility Bridge Maintenance Repairs

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown is planning maintenance repairs to the Newell St Utility Bridge over the Black River, and

WHEREAS on February 16, 2021, City Council approved a Professional Services Agreement with C&S Engineers, Inc. for the preliminary design, for the Bridge Rehabilitation in an amount not to exceed \$19,500, and

WHEREAS C&S Engineers has now submitted Supplement Agreement No. 1 in the amount of \$196,500,000 for final design, bid documents and construction inspection/support of the project for a not to exceed total of \$216,000,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Supplemental Agreement No. 1 in the amount of \$196,500, between the City of Watertown and C&S Engineers, Inc., a copy of which is attached and made a part of this resolution, bringing the total of the project to \$216,000, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to execute the Supplemental Agreement 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 Shoen asked if the oversight done by C&S could have been done in-house if the Engineering Department had been fully staffed.

Ms. Griffith indicated that it might have been a possibility if the department was staffed fully, noting that during her tenure with the City, the department has had vacant positions.

Council Member Olney added that he agreed with Council Member Shoen that more oversight should be done by in-house staff, noting it could be a cost savings.

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

Resolution No. 6 - Extending the Artist Agreement with David Grieco for the DRI Public Art Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council approved an Artist Agreement with David Grieco on March 7, 2022 , to complete the Downtown Revitalization Initiative (DRI) Public Art Project, and

WHEREAS the artist has faced a series of unexpected delays and has requested an extension to the contract end date, and

WHEREAS the New York State Office of Community Renewal (OCR) approved an amendment to its contract with the City of Watertown to extend the contract end date to August 31, 2024, and

WHEREAS an amendment to the agreement between the City and David Grieco has been drafted, which extends the contract end date to August 31, 2024, to match the contract between the City and OCR,

NOW THEREFORE BE IT RESOLVED that the City Council approves the amendment to the DRI Public Art Project Artist Agreement with David Grieco, a copy of which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the Mayor, is hereby authorized and directed to execute said Amendment on behalf of the City of Watertown.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Senior Planner Jennifer Voss provided information as to when the monument would possibly be delivered and unveiled.

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

Resolution No. 7 - Establishing Procedures for Public Access to Records of the City of Watertown, NY

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, under Section 87(1)(b) of the New York State Public Officers Law, the City is required to establish procedures to allow public access to its records, and

WHEREAS, the most recent procedures for public access to records of the City of Watertown, NY were last adopted on October 24, 1983, and

WHEREAS, the City of Watertown seeks to establish procedures for public access to records that reflect the current law, Mayor and City Manager,

NOW THEREFORE BE IT RESOLVED that the City Council adopts the procedures for public access to the records of the City of Watertown, New York, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that these regulations supersede any other procedures heretofore adopted by the Council.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Confidential Assistant to the City Manager Logan Eddy provided information as to some of the changes to the policy, noting that the previous policy was adopted in 1983 and needed updating to current NYS guidelines.

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

Resolution No. 8 - Authorizing and Endorsing an Application for Grant Funding Through the New York State Department of Environmental Conservation's Urban and Community Forestry Program

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the New York State Department of Environmental Conservation (NYS DEC) has announced that grant funding is available through the Urban and Community Forestry Program for Community Forest Management Plan Implementation in Disadvantaged Communities, and

WHEREAS the City of Watertown has made the planting, care, and management of its urban forest a priority over the last three decades in the wake of several devastating storms in the 1990's, and most recently the city-wide infestation of the destructive Emerald Ash Borer, and

WHEREAS Tree Watertown, the City's Street Tree Advisory Board, has recommended that the City Council apply for funding through this program, and

WHEREAS City Staff utilizes data collected in the City's 2018 Tree Inventory and Management Plan to identify priority tree maintenance and planting locations in eligible neighborhoods as defined by NYS DEC and the Federal Government, and

WHEREAS the City Council of the City of Watertown is applying to the NYS DEC for a reimbursement project grant under the Urban and Community Forestry Program along eligible streets and parks in the City, located within the territorial jurisdiction of the City Council, and

WHEREAS as a requirement of the Urban and Community Forestry Program, Staff must obtain the approval/endorsement of the governing body of the municipality in which the project will be located,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves and endorses the City's application to the NYS DEC for a grant under the Urban and Community Forestry Program for a project known as the City of Watertown Community Forestry Management Plan Implementation Project, located in the City, and

BE IT FURTHER RESOLVED that City Manager Eric Wagenaar is hereby authorized and directed to file an application for funding in an amount not to exceed \$400,000, and upon approval of said request, to enter into and execute a project agreement with the NYSDEC for such financial assistance for the City of Watertown Community Forestry Management Plan Implementation Project.

Seconded by Council Member Clifford G. Olney III and carried with all voting yea.

Resolution No. 9 - Approving Change Order No. 3 with Northern Tier Contracting for 2022 Fire Station Upgrades to Stations 1, 2, and 3 Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Council accepted the bid of \$234,400.00 from Northern Tier Contracting, Inc., for the 2022 Fire Station Upgrades to Stations 1, 2, and 3 Project on July 17, 2023, and

WHEREAS Change Order No. 1 was approved on November 6, 2023 for \$10,161.20, and

WHEREAS Change Order No. 2 was approved on December 4, 2023 for \$15,215.51, and

WHEREAS the City Engineering Department has received Change Order No. 3 from Northern Tier Contracting for a credit of \$2,310.00, and

WHEREAS City Engineering, reviewed the proposed Change Order and it is their recommendation that the City Council accept the Change Order submitted by Northern Tier Contracting,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 3 revising the Contract Agreement to \$257,466.71, and

BE IT FURTHER RESOLVED that the City Manager is hereby authorized and directed to sign Change Order No. 3 on behalf of the City.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Council Member Olney mentioned that he has spoken to some firefighters, and they are pleased with the work being done. Noting that this change order is a decrease to the cost, Council Member Olney asked if the City takes note of vendors that submit change orders to decrease the cost of projects.

Ms. Griffin replied that they legally cannot do that.

Council Member Shoen pointed out that, although this change order is a decrease to the project, there were two prior change orders that increased the project costs.

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

Resolution No. 10 - Accepting a Grant from the Department of Health to Improve the Water Treatment Plant

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, the New York State Department of Health, in coordination with the New York State Environmental Facilities Corporation, has offered a grant of \$5,000,000 and interest free financing of \$14,000,000 to the City of Watertown; and

WHEREAS, these funds are designated to support improvements to the water treatment plant which would address disinfectant by products; and

WHEREAS, the acceptance of this grant aligns with our mission to provide a safe and reliable water supply to the citizens of the City of Watertown and surrounding communities;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby accepts the grant of \$5,000,000 and interest free financing of \$14,000,000 from the New York State Department of Health; and

BE IT FURTHER RESOLVED that the Mayor of the City of Watertown is hereby authorized and directed to sign the award notice, thereby formalizing the acceptance of this grant.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, Council Member Olney pointed out that the City was awarded an interest-free \$14 million loan, but it might not be necessary if the City seeks other grant opportunities for this project.

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

Resolution No. 11 - Accepting Bid for Ohio Street Water Main Replacement Project – Edge Civil Corporation

WHEREAS the City desires to construct and replace water main and appurtenances located on Ohio Street, and all other associated work, and

WHEREAS the Purchasing Department advertised and received seven (7) sealed bids for the Ohio Street Water Main Replacement Project, and

WHEREAS on December 18, 2023, at 11:00 a.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department in consultation with Aubertine & Currier and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Edge Civil Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Edge Civil Corporation in the amount of \$834,974.00, and

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

Not Introduced.

Resolution No. 12 - Accepting Bid for Winslow Street Water Main Replacement Project – Edge Civil Corporation

WHEREAS the City desires to construct and replace water main and appurtenances located on Winslow Street, and all other associated work, and

WHEREAS the Purchasing Department advertised and received six (6) sealed bids for the Winslow Street Water Main Replacement Project, and

WHEREAS on December 18, 2023, at 11:00 a.m. the bids received were publicly opened and read, and

WHEREAS Purchasing Manager, Tina Bartlett-Bearup reviewed the bids received with the Engineering Department in consultation with Aubertine & Currier and it is their recommendation that the City Council accept the lowest responsive responsible bid submitted by Edge Civil Corporation, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid received from Edge Civil Corporation in the amount of \$932,635.00, and

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

Not Introduced.

STAFF REPORTS

Elected and Appointed Officials, NYS Retirement System, New Regulation Reporting Requirements

A staff report was available for the newly elected Mayor and Council Members explaining the process of tracking their time in order to calculate the number of days per month to be reported to the NYS Retirement System on their behalf. Mayor Pierce indicated that if anyone needs further information, they should speak with the City Clerk.

NEW BUSINESS

Injured Firefighters

Council Member Kimball mentioned the two firefighters who were recently injured in a training exercise and wished them well.

City Facility Tours

Council Member Kimball thanked Water Superintendent Vicky Murphy, Supervisor of Water Distribution Joshua Satchwell, Chief Water Treatment Plant Operator Aaron Harvill and Chief Waste Water Treatment Plant Operator Angel French for the recent tours of both the Water Treatment Plant and Waste Water Treatment Plant. He said they are all very knowledgeable.

Hydro Consultant

Council Member Olney mentioned that Council had passed a resolution approving the hiring of a hydro consultant and asked if a Request for Proposal (RFP) had been put together.

Mr. Logan responded that it is not ready for an RFP.

Crosswalk Concerns

Council Member Olney stated that he had received complaints about crosswalks on Pearl Street, Starbuck Avenue and East Main Street. He also mentioned Coffeen Street not having a crosswalk by the fields at the Fairground.

Planning and Community Development Director Michael Lumbis explained that the Complete Streets Committee reviews paving and street construction projects to determine if enhancements need to be made. He asked the Councilman to provide him with the particulars of the complaint and he would review the locations.

LaBella Grant Writing

Mentioning that the City has been working with the grant writer LaBella, Council Member Olney asked if there was a limit to the number of grants the City would seek each year.

Mayor Pierce said that she could not recall whether it was the number of grants per year or the number of contracted hours. She added that this could be revisited.

Ms. Voss explained that LaBella was contracted to do four applications per year.

Council Member Olney suggested increasing this limit, noting there are a lot of grants the City could seek to help fund projects.

Senior Housing Buildings

Council Member Olney mentioned that he is receiving several complaints from individuals living in senior housing stating there are incidents of bullying. He wondered if the City could do anything to alleviate this and force the management of these buildings to provide a better environment.

Injured Firefighters (continued)

Council Member Ruggiero provided more details of the incident and wished the firefighters well.

Senior Center Meeting

Council Member Ruggiero announced that the next meeting would be Tuesday, January 9, at 1:30 p.m. at the Flower Memorial Library. She said it is open to the public and encouraged people to attend.

Fee Discounts for City Employees Living Outside the City

Council Member Ruggiero mentioned that the City Fee Schedule has rates for City residents and non-City residents. She wondered if it was possible for City employees who live outside the City to receive a discount and pay the City resident fee.

Council Orientation Process

Council Member Shoen discussed the orientation process that he and Council Member Kimball attended, stating it was a positive experience. He thanked staff for their time, stating they are extremely good at what they do.

Rutland Town Supervisor – Logan Eddy

Council Member Shoen congratulated Mr. Eddy for being sworn into office as the Town of Rutland Supervisor.

Swearing In Ceremony for Mayor and Council Members

Mayor Pierce thanked the staff who were involved in putting this ceremony together, stating it was a nice event and she appreciated everyone's efforts.

Zoo Task Force

Mayor Pierce announced the next meeting would be January 18 at 3:00 p.m. in Council Chambers and noted that the smaller subcommittees have been meeting as well.

Solar Eclipse

Mayor Pierce provided an update from the Solar Eclipse meeting and said the next meeting will be held on January 8 at noon. She said the committee will be meeting twice per month from this point forward.

Watertown Housing Authority Buildings

Mentioning comments made during the Privilege of the Floor, Mayor Pierce said the City does not have direct authority over the Watertown Housing Authority, but she can contact the Executive Director with the concerns that have been raised. She added that she was made aware that the building now has security, which may assist with the issues Council Member Olney brought forward.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 7:51 p.m. by motion of Council Member Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.

Ann M. Saunders

City Clerk