

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
February 5, 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

**City staff present:** Brian Phelps, Michael Lumbis, James Mills, Meredith Griffin, Logan Eddy, Brian MacCue

The City Manager presented the following reports to Council:

- Resolution No. 1 - Appointment to the Roswell P. Flower Memorial Library Board of Trustees, Heather Tarzia
- Resolution No. 2 - Adopting Amended Annual Rates of Pay for Management Employees for Fiscal Year 2023-24 – City Engineer Change
- Resolution No. 3 - Adopting the Amendment to the Community Development Block Grant 2021 Annual Action Plan
- Resolution No. 4 - Approving the Grant Agreement with the Watertown Housing Authority for the Meadowbrook Apartments Sidewalk Reconstruction Project
- Resolution No. 5 - Readopting Fiscal Year 2023-24 General Fund Budget to Authorize Temporary Over hire of a Motor Equipment Mechanic in Central Garage
- Ordinance No. 1 - An Ordinance Amending the Ordinance Dated June 19, 2023, Authorizing the Issuance of \$875,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay a Portion of the \$1,050,000 Estimated Maximum Cost of the Replacement of the Storm and Sanitary Sewer on Washington Street and Keyes Avenue, in and for Said City, to increase the Estimated Maximum Cost thereof to \$1,100,000 and the Amount of Bonds authorized to \$925,000.
- Tabled Resolution - Approving The Professional Service Agreement for the Ohio Street Water Main Replacement Project, Aubertine and Currier
- Tabled Resolution - Approving The Professional Service Agreement for the Winslow Street Water Main Replacement Project, Aubertine and Currier
- Sale of Surplus Hydro-electricity – December 2023
- Sales Tax Revenue – December 2023
- Community Development Block Grant (CDBG) 2024 Annual Action Plan Public Hearing

**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 January 16, 2024 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 claim was received from Mary Fults, 115 North Pearl Avenue, seeking reimbursement for injuries sustained after slipping on ice in the J. B. Wise parking lot.

A notice of claim was received from Allan Bellinger Sr, 1411 County Route 75, Adams, seeking reimbursement for injuries sustained after being hit by a Birnie Bus while walking in the street due to a construction fence blocking the sidewalk in the 500 block of State Street on November 9, 2023.

**Above claims have been referred to the Board of Audit.**

### **PRIVILEGE OF THE FLOOR**

**Bill Kimball**, 253 Thompson Boulevard, thanked Council for their support of the Senior Center. He also noted the support of other community agencies and announced there would be an open house on February 29 on the second floor of the Marcy building.

**David Marconi Sr.**, 751 Ball Avenue, addressed the chair concerning his proposal to provide concessions at Thompson Park Golf Course. He listed his prior work experience and also noted his desire to make golf more accessible to youth.

**Jonathan Phillips**, Mill Street, complained to Council about snow that has not been removed on various sidewalks throughout the City. He also expressed his concerns that a house on Cooper Street will be razed rather than rehabilitated.

**Robert (no last name given)** distributed a handout (on file in the City Clerk's Office) showing his analysis of what the leak at the water reservoir is costing the City in lost revenue. He compared it to hiring more firefighters and police officers and urged Council to address the issue.

**Patrick Hickey**, Pawling Street, provided Council a summary from a conference he attended in Washington, DC regarding the opioid epidemic. He reviewed statistics related to drug use and overdoses due to lethal doses of fentanyl.

**John Berry**, 304 Paddock Street, expressed concerns with the intersection at Paddock and Holcomb Streets and noted there have been numerous accidents there.

### **RESOLUTIONS**

**Resolution No. 1 - Appointment to the Roswell P. Flower Memorial Library Board of Trustees, Heather Tarzia**

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

BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby appoints

the following individual to the Roswell P. Flower Memorial Library Board of Trustees, to an 11-year term, which term expires December 31, 2034.

Heather Tarzia  
449 Newman Drive  
Watertown, New York, 13601

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

**Resolution No. 2 - Adopting Amended Annual Rates of Pay for Management Employees for Fiscal Year 2023-24 – City Engineer Change**

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

WHEREAS the City Council approved the Proposed Fiscal Year 2023-24 Annual Rates of Pay for Management Employees at the City Council meeting on June 5, 2023, and

WHEREAS the City Council amended the Proposed Fiscal Year 2023-24 Annual Rates of Pay for Management Employees at the City Council meeting on November 20, 2023, and

WHEREAS the City Manager has recommended increasing the pay rate for the position of City Engineer from the current Grade 35 to Grade 36 in the hopes of attracting a qualified candidate,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby adopts the Annual Rates of Pay for Management Employees-Effective July 1, 2023 as amended on February 5, 2024 chart that is attached and made part of this resolution.

**Seconded by Council Member Clifford G. Olney III**

Prior to the vote on the foregoing resolution, Council Member Olney asked if the pay rate was the reason the City was having difficulty finding a qualified candidate.

City Manager Wagenaar explained that the position requires high qualifications and supervisory responsibilities, and he is hopeful that a higher pay scale may entice more qualified candidates.

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

**Resolution No. 3 - Adopting the Amendment to the Community Development Block Grant 2021 Annual Action Plan**

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

WHEREAS on May 3, 2021, the City Council adopted a resolution approving the City's Annual Action Plan for Program Year 2021 for its Community Development Block Grant (CDBG) Program, and

WHEREAS the approved plan included various projects including an owner-occupied housing rehabilitation program, a homebuyer program, a sidewalk project, a demolition project, a playground enhancement project, a point-in-time outreach and education initiative, smoke detector program, planning administration, and

WHEREAS two of the four of the projects that came in under budget necessitate amending the plan to reflect the various adjustments, which will be used to fund existing projects project that are over budget and adding two new projects to the plan, and

WHEREAS Staff conducted outreach efforts with local constituency groups and the City Council held a public hearing on January 2, 2024, to solicit public comments regarding the proposed amendment, and

WHEREAS the draft amendment to the 2021 Annual Action Plan was completed and published on December 22, 2023, and was made available to the public for review and placed in various offices at City Hall, at the Roswell P. Flower Memorial Library, at the Watertown Housing Authority offices and on the City's website, and

WHEREAS a 30-day public comment period for the draft amendment to the 2021 Annual Action Plan was held between December 22, 2023, and January 22, 2024, after a notice of the comment period was published in the *Watertown Daily Times*,

NOW THEREFORE BE IT RESOLVED that the City Council hereby adopts the Amendment to the City of Watertown's CDBG Program Annual Action Plan for Program Year 2021, a copy of which is attached and made part of this resolution and authorizes the submission of the amendment to the United States Department of Housing and Urban Development.

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

**Resolution No. 4 - Approving the Grant Agreement with the Watertown Housing Authority for the Meadowbrook Apartments Sidewalk Reconstruction Project**

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

WHEREAS the City of Watertown's Community Development Block Grant (CDBG) Annual Action Plan for Program Year 2023 included a project known as the Watertown Housing Authority Meadowbrook Sidewalk Reconstruction Project, and

WHEREAS the project consists of the reconstruction of deteriorated concrete sidewalks and related work along Walker Avenue and Burns Avenue, and

WHEREAS the Annual Action Plan identifies the Watertown Housing Authority Meadowbrook Apartments Sidewalk Reconstruction Project activity to be \$30,000 in funding to support the project, and

WHEREAS a Grant Agreement between the City of Watertown and the Watertown Housing Authority for the CDBG funds has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Grant Agreement with the Watertown Housing Authority, a copy of which is attached and made a part of this resolution, and

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

**Seconded by Council Member Clifford G. Olney III**

Prior to the vote on the foregoing resolution, Mayor Pierce provided, at the request of Council Member Olney, a summary of the grant funding that is being used.

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

**Resolution No. 5 - Readopting Fiscal Year 2023-24 General Fund Budget to Authorize Temporary Over hire of a Motor Equipment Mechanic in Central Garage**

**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 which authorized five Motor Equipment Mechanics for the Central Garage Department, and

WHEREAS the City has been notified that a Motor Equipment Mechanic will be retiring in April, and

WHEREAS the Superintendent of Public Works is requesting authorization to temporarily add one additional Motor Equipment Mechanic to allow for sufficient time for training before the pending retirement occurs and,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the Fiscal Year 2023-34 General Fund budget to temporarily add one Motor Equipment Mechanic to Central Garage until the pending retirement occurs and,

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

**GENERAL  
FUND**

A.1640.0130	Central Garage - Wages	\$ 6,200
A.1640.0810	Central Garage – Retirement	\$ 700
A.1640.0830	Central Garage – Social Security	\$ 475
A.1640.0850	Central Garage – Health Insurance	\$ 2,825
A.5010.0130	Municipal Maintenance – Wages	(\$ 6,200)
A.5010.0810	Municipal Maintenance – Retirement	(\$ 700)
A.5010.0830	Municipal Maintenance – Social Security	(\$ 475)
A.5010.0850	Municipal Maintenance – Health Insurance	(\$ 2,825)
	Total	<u>\$ -</u>

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

**ORDINANCES**

**Ordinance No. 1 - An Ordinance Amending the Ordinance Dated June 19, 2023, Authorizing the Issuance of \$875,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay a Portion of the \$1,050,000 Estimated Maximum Cost of the Replacement of the Storm and Sanitary Sewer on Washington Street and Keyes Avenue, in and for Said City, to increase the Estimated Maximum Cost thereof to \$1,100,000 and the Amount of Bonds authorized to \$925,000.**

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

WHEREAS, by ordinance dated June 19, 2023, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$875,000 bonds of said City to a portion of the \$1,050,000 estimated maximum cost of the replacement of the storm and sanitary sewer on Washington Street and Keyes Avenue, in and for the City of Watertown, Jefferson County, New York, a specific object or purpose, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, the Council now wishes to (i) increase the estimated maximum cost of the aforesaid specific object or purpose from \$1,050,000 to \$1,100,000 and (ii) increase the amount of bonds authorized from \$875,000 to \$925,000; NOW, THEREFORE,

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

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted June 19, 2023, authorizing the issuance of \$875,000 bonds to pay a portion of the estimated maximum cost of the replacement of the storm and sanitary sewer on Washington Street and Keyes Avenue, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a specific object or purpose, at an estimated maximum cost of \$1,100,000, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$925,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY A PORTION OF THE \$1,100,000 ESTIMATED MAXIMUM COST OF THE REPLACEMENT OF THE STORM AND SANITARY SEWER ON WASHINGTON STREET AND KEYES AVENUE, IN AND FOR SAID CITY.”

“Section 1. For the specific object or purpose of For paying a portion of the estimated maximum cost of the replacement of the storm and sanitary sewer on Washington Street and Keyes Avenue, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, all in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$925,000 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 specific object or purpose is \$1,100,000 and that the plan for the financing thereof is by the issuance of the \$925,000 bonds of said City authorized to be issued pursuant to this bond ordinance and \$175,000 from the General Fund.”

**Section B.** 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 C.** Upon this ordinance taking effect, the same shall be published 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.

**Section D.** This ordinance is effective immediately.

**Seconded by Council Member Clifford G. Olney III**

**Motion for unanimous consent moved by Council Member Lisa A. Ruggiero, seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.**

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

## **OLD BUSINESS**

**Resolution - Approving The Professional Service Agreement for the Ohio Street Water Main Replacement Project, Aubertine and Currier.** *(Introduced on January 16, 2024; tabled; appears in its entirety in the 2024 Minutes Book on page 3 of the 1/16/2024 minutes).*

**Motion was made by Council Member Lisa A. Ruggiero to remove the foregoing resolution from the table. Motion was seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.**

Council Member Shoen commented that he had concerns about this at the last meeting and received further information during a meeting with the City Manager and Mayor. He said he still has some concern that there is no guarantee of the work done.

Council Member Olney expressed concern with the oversight of projects and wondered if there was any recourse if something was done incorrectly.

Civil Engineer II Meredith Griffin explained that contractors must submit a maintenance bond to the City, which covers a warranty of the work for one year. She confirmed that the requirement of a maintenance bond is standard for City projects.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except Council Member Benjamin P. Shoen, who voted nay.**

**Resolution - Approving The Professional Service Agreement for the Winslow Street Water Main Replacement Project, Aubertine and Carrier.** *(Introduced on January 16, 2024; tabled; appears in its entirety in the 2024 Minutes Book on page 4 of the 1/16/2024 minutes).*

**Motion was made by Council Member Lisa A. Ruggiero to remove the foregoing resolution from the table. Motion was seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea except for Council Member Benjamin P. Shoen, who voted nay.**

## **STAFF REPORTS**

### **Sale of Surplus Hydro-electricity and Sales Tax Revenue – December 2023**

Reports were available for Council to review.

### **Community Development Block Grant (CDBG) 2024 Annual Action Plan Public Hearing**

**Motion was made by Council Member Lisa A. Ruggiero to schedule a Public Hearing for Monday, March 4, 2024 at 7:15 p.m. to solicit public input regarding the development of funding priorities and projects to be included in the City's Community Development Block Grant 2024 Annual Actin Plan. Motion was seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.**

## **NEW BUSINESS**

### **Response to Privilege of the Floor**

Council Member Olney responded to each of the individuals that spoke during Privilege of the Floor, thanking each one for the information they provided Council and ensuring the individuals with issues that their concerns would be reviewed and addressed.

### **Snowtown Events**

Council Member Ruggiero mentioned she attended some of the events and was at the award ceremony for the snow sculptures. She thanked all the organizers, participants and City staff that made the Snowtown festival a success.

During Council Member Shoen's portion of New Business, he also thanked everyone involved in making these events happen, stating it is nice to have activities to do during the winter.

### **Senior Center**

Council Member Ruggiero informed Council of the open house event that will be held on February 29 and announced the next committee meeting would be held on February 13. She encouraged the public to attend and participate in these events.

### **Water Reservoir Leak**



Mentioning the information provided during Privilege of the Floor, Council Member Ruggiero said she appreciated the information and calculations and indicated that she looks forward to the next steps of this investigation.

During Council Member Shoen's portion of New Business, he said he agrees that there is a loss in revenue. He said it was his understanding that they did not find the leak within the reservoir and suggested that it might be on the distribution side of things after the water leaves the reservoir.

**Sale of Surplus Hydro-electricity and Sales Tax Revenue – December 2023**

Council Member Shoen thanked City Comptroller James Mills for the information in this report and stated that Mr. Mills' budget projections are very close to the actual amounts received.

**Meeting with Senator Chuck Schumer's and Congresswoman Claudia Tenney's Offices**

Mayor Pierce mentioned that she recently met with representatives from Senator Schumer's Office and Congresswoman Tenney's Office and stated that it served as a good introduction and a way to establish lines of communications about the City's issues.

**NYCOM Conference**

Mayor Pierce advised that she recently attended a NYCOM conference in Albany and that she will be providing Council with a debriefing.

**Intersection of Paddock and Holcomb Streets**

Mentioning the comments made during Privilege of the Floor, Mayor Pierce agreed this intersection can be very busy and the City should look at ways to improve it.

**Copenhagen Students in Attendance**

Mayor Pierce recognized the students in attendance from Copenhagen School and stated that she is available for questions after the meeting.

**Motion was made by Council Member Lisa A. Ruggiero to move into Executive Session to discuss proposed, pending, or current litigation and the employment history of a particular individual.**

**Motion was seconded by Council Member Clifford G. Olney III and carried with all voting in favor thereof.**

Council moved into Executive Session at 7:52 p.m.

Council reconvened at 8:45 p.m.

**ADJOURNMENT**

**At the call of the chair, meeting was duly adjourned at 8:45 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