

**CITY COUNCIL MEETING
CITY OF WATERTOWN
August 4, 2025
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
Timothy McMahon, Bond, Schoeneck & King PLLC, City Attorney

City staff present: Erica Anderson, James Mills, Thomas Compo, Michael Lumbis, Geoffrey Urda

The City Manager presented the following reports to Council:

- Resolution No. 1 - Authorizing Adjustment to the 2025-26 City Tax Bill for 104 New York Avenue, Parcel No. 01-22-220.000
- Resolution No. 2 - Declaring the City Council's Intent to Serve as Lead Agency Under the State Environmental Quality Review Act (SEQRA) and Initiating Coordinated Review for a Public Water Project Known as the East Reservoir and Transmission Main Improvements Project
- Resolution No. 3 - Authorizing the Submission of Drinking Water Infrastructure Improvement Act (WIIA) Grant Application for the City of Watertown – East Reservoir and Transmission Main Improvement Project
- Resolution No. 4 - Approving Change Order No. 4 for the DRI Streetscape Design Improvements Project, CCI Companies Inc.
- Resolution No. 5 - Approving Change Order No. 2 for the Winslow Street Water Main Replacement Project, EDGE Civil Corporation
- Resolution No. 6 - Authorizing Limited Waiver of Attorney-Client Privilege and Testimony by Former Harris Beach Murtha Attorneys in Ethics Proceeding Against Council Member Clifford Olney
- Ordinance No. 1 - An Ordinance Amending the Ordinance Dated April 21, 2025, Authorizing the Issuance of \$12,000,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs Of Replacement or Rehabilitation of the East Reservoir Located in Thompson Park, in and For Said City, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$29,000,000

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of July 21, 2025 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 Doty Stevens, Belleville, expressing concern about the employees of the Department of Social Services Building crossing Arsenal Street to access the parking lot across the street.

PRIVILEGE OF THE FLOOR

Stanley Campany, Public Square, expressed his concerns regarding the current members of Council, the City Manager and the City Attorney. He also reported the following: The restaurant, Empire Square, plays the music too loud; potholes are at the intersection of Arsenal Street and Coleman Avenue, as well as along State Street; and, Code Enforcement needs to do more about brush hanging into the sidewalks.

Michael LaDue, 320 South Indiana Avenue, expressed concern about the amount of money that has been spent on legal fees regarding the ethics complaint against Council Member Olney. He also mentioned the recent Temple Street fire and concern that there were water pressure issues during the firefighting efforts.

Doug Osbourne, 1343 Richards Drive, noted that the Downtown Block Parties have been a good event for the community, but at the recent one, there was vandalism done to one of the downtown businesses. He suggested the promoters of the event take action to prevent this from happening again.

Anthony Velasquez, Washington Street, expressed concern that the ethics complaint has taken up too much of Council's and the news media's time and that the focus should be more on other issues affecting the City. He listed issues that the City needs to address, stating that he would like to see the City grow and thrive.

Frank Battista, 201 Palmer Street, expressed concern with hiring new employees when the City is facing double digit tax increases. He suggested that there be a hiring freeze.

RESOLUTIONS

Resolution No. 1 - Authorizing Adjustment to the 2025-26 City Tax Bill for 104 New York Avenue, Parcel No. 01-22-220.000

Introduced by Council Member Lisa A. Ruggiero

WHEREAS an amount of \$405.00 representing an unpaid Code Enforcement invoice for trash removal was relieved to the 2025-26 City tax bill for 104 New York Avenue, and

WHEREAS the property owner did not receive the initial violation notice regarding a couch that had been illegally dumped on their vacant lot without their knowledge, and

WHEREAS an abatement agreement had previously been reached, but due to an administrative oversight, it was not processed before the charge was relieved onto the 2025-26 tax bill,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby reduces the 2025-26 City property tax bill for 104 New York Avenue, Parcel No. 01-22-220.000, by \$405.00 for the erroneously relieved Code Enforcement invoice for trash removal charges, and

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

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

Resolution No. 2 - Declaring the City Council's Intent to Serve as Lead Agency Under the State Environmental Quality Review Act (SEQRA) and Initiating Coordinated Review for a Public Water Project Known as the East Reservoir and Transmission Main Improvements Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City of Watertown (the "City") is proposing to undertake the construction of a new water storage tank, relining of the existing reservoir, transmission main replacement, and related improvements (the "Project") to enhance the City's public water supply system, and

WHEREAS the Project is classified as an Unlisted action pursuant to 6 NYCRR Part 617.4 of the State Environmental Quality Review Act ("SEQRA"), but will be filed as a Type I Action per State Revolving Fund (SRF) and Water Infrastructure Investment Act (WIIA) financing requirements, and

WHEREAS in accordance with SEQRA, a Lead Agency must be established to conduct a coordinated environmental review of the proposed Type I Action, and

WHEREAS the City is a local agency with the principal responsibility for approving, funding, and implementing the Project, and

WHEREAS the City Council of the City of Watertown intends to assume the role of Lead Agency for the purposes of SEQRA review for the Project, and

WHEREAS the City will notify all involved and interested agencies of its intent to act as Lead Agency and will provide them with the completed Part 1 of the Full Environmental Assessment Form (EAF) and other required documentation in accordance with 6 NYCRR §617.6(b)(3) for coordinated review,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby declares its intent to serve as Lead Agency for the coordinated environmental review of the Project under SEQRA, and the Project is classified as a Type I Action pursuant to SRF/WIIA/SEQRA regulations, and

BE IT FURTHER RESOLVED that the City Council directs the City's consulting engineer or other designated representative to circulate the Lead Agency coordination letter, Part 1 of the Full EAF, and any supporting documents to all involved and interested agencies for the purpose of coordinated review and Lead Agency designation, and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, City Engineer Thomas Compo explained, at the request of Council Member Olney, the need to declare the City as the lead agency.

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

Resolution No. 3 - Authorizing the Submission of Drinking Water Infrastructure Improvement Act (WIIA) Grant Application for the City of Watertown – East Reservoir and Transmission Main Improvement Project

Introduced by Council Member Lisa A. Ruggiero

WHEREAS grant funds and assistance are available through the NYS Drinking Water Infrastructure Act through the NYS Environmental Facilities Corporation, including the Water Infrastructure Improvement ACT (WIIA) and the Drinking Water State Revolving Fund (DWSRF), and

WHEREAS the City of Watertown wishes to apply for said funds for the East Reservoir and Transmission Main Improvements Project to include a new water storage tank and supporting infrastructure for operation with the existing water system, and the spray coating of the interior of the existing reservoir as funding allows,

NOW THEREFORE BE IT RESOLVED that the City of Watertown City Council authorizes the City Manager, or their designee, to sign and submit the grant application form and any other documents required by the grant application.

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

Resolution No. 4 - Approving Change Order No. 4 for the DRI Streetscape Design Improvements Project, CCI Companies Inc.

Introduced by Council Member Lisa A. Ruggiero

WHEREAS the City Engineering Department has received Change Order No. 4 for the Downtown Revitalization (DRI) Streetscape Design Improvements Project from CCI Companies, Inc., and

WHEREAS CCI Companies, Inc.'s original contract price at the time of award was \$3,647,704.75, and

WHEREAS the City Council has previously approved three change orders to the original contract in the amounts of \$20,612.42 and \$111,959.49 and \$283,608.50, and

WHEREAS CCI Companies, Inc. has prepared Change Order No. 4 for City Council consideration in the amount of \$39,285.47, to cover an increase in the project cost due to additional work on the Lachenauer Plaza fountain and temporary blacktop removal, and

WHEREAS the City Engineering and Planning Departments have reviewed the change order and recommends that the City Council accept the change order submitted by CCI Companies, Inc.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown

approves Change Order No. 4 for the DRI Streetscape Design Improvements Project in the amount of \$39,285.47, a copy of which is attached and made part of this resolution, and accepts the revised Contract Agreement total sum in the amount of \$4,103,170.63 and

BE IT FURTHER RESOLVED that the City Manager, or their designee, is hereby authorized and directed to sign the change order and contracts associated with implementing the revised Contract Agreement with CCI Companies, Inc.

Seconded by Council Member Clifford G. Olney III

Prior to the vote on the foregoing resolution, City Manager Eric Wagenaar responded to Council Member Olney's questions about the Lachenauer Plaza fountain, explaining the concern regarding the engineering oversight of the project. He assured Council that staff is looking at a better way to proceed in the future.

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 voting nay.

Resolution No. 5 - Approving Change Order No. 2 for the Winslow Street Water Main Replacement Project, EDGE Civil Corporation

Introduced by Council Member Lisa A. Ruggiero

WHEREAS at its January 16, 2024, meeting, the City Council approved a bid from EDGE Civil Corporation in the amount of \$932,635.00 for the Winslow Street Water Main Replacement Project, and

WHEREAS at its November 04, 2024, meeting, the City Council approved Change Order No. 1 from EDGE Civil Corporation for the decrease of \$1,288.65, bringing the total contract amount to \$931,346.35, and

WHEREAS there have been various price adjustments to field and contract items that need to be addressed before a final payment can be issued, and

WHEREAS EDGE Civil Corporation has now submitted Change Order No. 2 for a decrease of \$8,946.00,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Change Order No. 2 from EDGE Civil Corporation for a decrease of \$8,946.00, a copy of which is attached and made part of this Resolution, bringing the total contract amount to \$922,400.35, and

BE IT FURTHER RESOLVED that City Manager, or their designee, is hereby authorized and directed to execute Change Order No. 2 on behalf of the City of Watertown.

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

Resolution No. 6 - Authorizing Limited Waiver of Attorney-Client Privilege and Testimony by Former Harris Beach Murtha Attorneys in Ethics Proceeding Against Council Member Clifford Olney

Introduced by Mayor Sarah V.C. Pierce

WHEREAS, on or about October 21, 2024, the Watertown City Council brought ethics charges against Council Member Clifford Olney, and

WHEREAS, the Watertown City Council subsequently engaged Attorney Matthew G. Jubelt to represent the City in its prosecution of the ethics charges, and

WHEREAS, in order to enable Attorney Jubelt to perform such work he must be permitted to speak with the City's former attorneys regarding matters relating to the charges and, if he deems such necessary, call such attorneys as witnesses at the ethics hearing, and

WHEREAS, disclosure of the information in question is necessary under § 20(3) of the City Charter to permit the Council to hear all relevant evidence bearing on the ethics charges being considered,

NOW THEREFORE BE IT RESOLVED that the Watertown City Council authorizes Attorney Matthew G. Jubelt to speak with former City Attorneys with the law firm of Harris Beach Murtha in connection with the pending ethics charges and related matters and authorizes the attorneys of the Harris Beach Murtha law firm to speak with Attorney Jubelt regarding matters relevant to such charges including attorney-client privileged information about the firm's communications with Council Member Olney on or about March 8, 2023 concerning the Watertown Golf Course transaction, a February 20, 2023 appraisal, and related Access Agreements, and

BE IT FURTHER RESOLVED that the Watertown City Council authorizes Attorney Matthew G. Jubelt to notice and call as witnesses at the ethics hearing former City Attorneys with the Harris Beach Murtha law firm, and such attorneys are authorized to testify at the ethics hearing regarding matters pertaining to the ethics charges including providing information that may potentially be subject to the attorney-client privilege regarding communications between that firm and Council Member Olney on or about March 8, 2023 regarding the Watertown Golf Course transaction, a February 20, 2023 appraisal, and related Access Agreements, and

BE IT FURTHER RESOLVED that the Watertown City Council authorizes the law firm of Harris Beach Murtha to speak with Council Member Olney's legal representative in the ethics hearing with regard to their anticipated testimony in the ethics hearing of which notice is provided by Attorney Jubelt, and

BE IT FURTHER RESOLVED that any waiver of the attorney-client privilege by the Council authorized in this resolution shall be narrowly limited to only the scope of information defined herein and shall not relate to any other matter upon which the Council, or City employees, have received legal advice or assistance.

Seconded by Council Member Robert O. Kimball

Prior to the vote on the foregoing resolution, Mr. Wagenaar explained, at the request of Council Member Olney, the reason for this resolution being presented to Council. He reminded Council that a resolution was adopted last year directing staff to proceed with holding the ethics hearing and this was the next step of the process. He added that this not only allows the prosecuting attorney to gather additional information, but it also would allow Council Member Olney and his attorney access to information. He

continued to reply to Council Member Olney's questions about the process that had occurred to this point, how the original complaint was initiated by former Mayor Smith and how Council Member Olney felt the complaint should have been handled.

In regard to Council Member Olney's question about what the City Charter states in relation to handling an ethics complaint, Mayor Pierce confirmed that any member of Council can file a complaint.

Council Member Ruggiero stated that her concern is whether a member of Council can ask the City Attorney to assist in writing an ethics complaint against another member of Council. She wondered how one member of Council could authorize that and who approved those legal bills to occur.

Council Member Olney agreed with Council Member Ruggiero's concern and argued that a resolution was passed stating that a directive could not be given to the City Manager without the support of the majority of Council. He said the complaint should never have been initiated by one member of Council.

Mayor Pierce commented that, regardless of how the complaint was initiated, the City has an independent Ethics Board who reviewed the complaint and made a determination. She said it would be improper to not do anything further with the determination, asking why the City would have an Ethics Board if that was the case. Mentioning she does not like spending the money on legal fees, Mayor Pierce suggested having a less formal hearing without attorneys, so that Council could hear the evidence, ask questions of Council Member Olney and make a determination.

Council Member Ruggiero advised that Council should still have an attorney present so that it is handled properly and there is no more liability on the City. She also asked if the City should seek a legal opinion from Hancock Estabrook as to whether the original ethics complaint was initiated legally.

There was a lengthy conversation about the invoices for legal fees, the redactions of certain sections in response to Council Member Olney's request for copies, and the pending opinion letter requested from the Attorney General's Office. It was also questioned whether the other members of Council, besides Council Member Olney, were able to view the legal fee invoices, and Mr. Wagenaar noted that no other member of Council has asked to see them.

Council Member Kimball explained in detail why he feels it is important to proceed with the formal hearing process, stressing that he has not made a determination and it is not his goal to find Council Member Olney guilty or remove him from office without reviewing details of the complaint first. He stressed that this needs to be brought to a conclusion and that it is necessary to have the attorneys involved. In response to the concern that one member of Council incurred legal fees to the City, he provided examples of other incidents in which one member of Council requested the attorney to work on a particular topic, and therefore incurring legal costs.

Further debate ensued regarding the invoices for legal fees and the ethics complaint process.

Council Member Olney provided his thoughts on what he feels was handled inappropriately from the point the original complaint was initiated until now, why he feels the complaint has no merit, and a summary of the court proceedings he initiated against the City.

In regard to whether the City needs a legal opinion regarding whether the ethics complaint was initiated properly, Mr. Wagenaar reminded Council that Hancock Estabrook reviewed all the details of this issue before agreeing to initiate a letter of engagement with the City to handle it, and if they did not believe the City was in good standing, they would not have agreed to provide their services to the City. Mr. Wagenaar assured Council that the City is following the advice given regarding how to proceed through this process.

Discussion continued and Attorney McMahon advised that, although Bond, Schoeneck & King has recused themselves from the ethics proceeding, he needs to address a procedural point and remind Council Member Olney that there has been a directive by Hancock Estabrook to him to recuse himself from voting on this because he has a personal interest in the outcome of the proceedings.

Council Member Olney commented that he could vote if he chose to.

Council Member Shoen questioned what would happen if this resolution was defeated.

Council Member Olney asked if the timing of this resolution would be considered as voter interference to his write-in campaign for re-election in three months.

Attorney McMahon replied that this ethics proceeding started quite some time ago and this process has been running independently of any campaign.

Council Member Shoen said he has a question that he does not think he can get answered tonight so he is not confident in voting at this time and suggested waiting.

Motion was made by Council Member Benjamin P. Shoen to table the foregoing resolution. Motion was seconded by Council Member Lisa A. Ruggiero and carried with all voting in favor thereof except for Council Member Clifford G. Olney III who recused himself.

ORDINANCES

Ordinance No. 1 - An Ordinance Amending the Ordinance Dated April 21, 2025, Authorizing the Issuance of \$12,000,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Costs Of Replacement or Rehabilitation of the East Reservoir Located in Thompson Park, in and For Said City, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$29,000,000

Introduced by Council Member Lisa A. Ruggiero

WHEREAS, by ordinance dated April 21, 2025, the Council of the City of Watertown, Jefferson County, New York (the "City"), authorized the issuance of \$12,000,000 bonds of said City to pay the costs of the replacement or rehabilitation of the East Reservoir located in Thompson Park, including incidental expenses in connection therewith, design, demolition of the existing reservoir, related site development and the construction of a new five-million-gallon tank; and

WHEREAS, the Council now wishes to increase the estimated maximum cost and the amount of bonds authorized for the aforesaid project from \$12,000,000 to \$29,000,000 (an increase of \$17,000,000);

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

Section A. The ordinance dated April 21, 2025, authorizing the issuance of \$12,000,000 bonds to pay the costs of the replacement or rehabilitation of the East Reservoir located in Thompson Park, including incidental expenses in connection therewith, design, demolition of the existing reservoir, related site development and the construction of a new five-million-gallon tank, at an estimated maximum cost of \$12,000,000, in and for the City, is hereby amended, in its entirety to read as follows:

AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$29,000,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE REPLACEMENT OR REHABILITATION OF THE EAST RESERVOIR LOCATED IN THOMPSON PARK, IN AND FOR SAID CITY.

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 paying the costs of the replacement or rehabilitation of the East Reservoir located in Thompson Park, including incidental expenses in connection therewith, design, demolition of the existing reservoir, related site development, construction of a new five-million-gallon tank and relining of the current reservoir, a class of objects or purposes, in and for the City of Watertown, Jefferson County, New York, there are hereby authorized to be issued \$29,000,000 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 \$29,000,000 and that the plan for the financing thereof is by the issuance of the \$29,000,000 bonds of said City authorized to be issued pursuant to this bond ordinance; provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State and, or federal aid or any other revenue received by the City from other sources for such class of objects or purposes, which monies are hereby appropriated therefor.

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 of Watertown, Jefferson County, New York, 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 of Watertown, Jefferson County, New York, 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.

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 its 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. 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 13. 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 14. This ordinance, which takes effect immediately, shall be published in summary in the Watertown Daily Times the official newspaper of the City, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

- 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, of the City, 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 Clifford G. Olney III

Motion for unanimous consent was 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 request of Council Member Olney, Mr. Wagenaar explained the need for amending this bond in relation to the grant application. He stated that in order to proceed with the grant process the City needs to guarantee the funding is in place for the whole project. He also provided details of the project, noting that the Department of Health is the regulating agency and has stated the City needs to maintain 8-million gallons of water in reserve.

Mr. Compo informed Council of more details of the project as outlined in the report from Wright-Pierce. He reviewed the various options available to consider, as well as the additional work and upgrades needed to main transmission lines and pumps. He advised that the entire project could take two to six years, which would allow the City to seek more grants in the future.

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

STAFF REPORTS

There were no staff reports.

NEW BUSINESS

Legal Expenses for Ethics Complaint

Council Member Kimball mentioned that City staff sent information about the amount spent on legal fees for the ethics complaint and the total is closer to \$72,000, rather than \$118,000 which was reported in the newspaper. He said it is still a lot of money, but having a good legal team is required in order to deal with City issues.

Water Pressure During Temple Street Fire

Council Member Kimball stated there has been concern expressed regarding the water pressure during the recent fire on Temple Street. He said Council received assurance from the Fire Chief that although the City is working with an old water district system, water is available and there are options for drawing necessary water from different lines with coordination from the water department.

Garbage Fees

Council Member Olney mentioned that he received a letter from an elderly resident on a fixed income who has concerns regarding the increasing garbage fees. He said he understands her concerns and he said that during budget discussion, he preferred to increase the fee at smaller increments, so the City does not lose customers.

Energy Service Company

Council Member Olney advised that he sent his proposal for Watertown Energy Service Company (WESCO) to Skip Trimble, former consultant for the Hydro Committee, to review and provide input.

Downtown Block Party

Council Member Ruggiero said the last block party was successful, and she thanked City staff who played a role in making it happen.

Pothole on Arsenal Street

Mentioning the comments made during Privilege of the Floor, Council Member Ruggiero indicated that Arsenal Street is maintained by NYS Department of Transportation (DOT), so they would be responsible to fix this pothole.

Council Member Shoen added that he thought this pothole was more on Coleman Avenue and wondered if the potholes arising on the connecting streets to Arsenal Street are due to NYS DOT paving over the drainage system that used to run along the curbs of Arsenal Street.

City Taxes Due Date

Council Member Shoen reminded the public that City taxes are due tomorrow, August 5.

Water Pressure During Temple Street Fire (continued)

In response to Mayor Pierce's inquiry, Mr. Wagenaar explained that the issue is tracked, and the City is aware of where the dead-end lines are located, stating the Fire Department reviews the list often with the Water Distribution staff. He said the Water Distribution team will continue to work with the Fire Department to ensure the right adjustments are made when there is a fire in one of those areas.

A D J O U R N M E N T

At the call of the chair, meeting was duly adjourned at 8:32 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