

**CITY OF WATERTOWN, NEW YORK
AGENDA**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, September 20, 2010, at 7:00 p.m. in the City Council Chambers, 245 Washington Street, Watertown, New York.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL

ADOPTION OF MINUTES

COMMUNICATIONS

INTRODUCTIONS

Certificates of Public Service from the New York State Conference of Mayors to
City of Watertown Employees Completing 25 Years or More of Service

PRIVILEGE OF THE FLOOR

RESOLUTIONS

- Resolution No. 1 - Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 1-01-128.000 Known as 560
Main Street West To Janet M. Abrams, 603 LeRay Street,
Watertown, New York 13601

- Resolution No. 2 - Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 7-07-203.000 Known as 430
Court Street To Clifford K. Pickett, Sr., 225 Mechanic
Street, Watertown, New York 13601

- Resolution No. 3 - Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 5-14-103.000 Known as 1543
State Street To Husky Property Management LLC, 700
Mill Street, Watertown, New York 13601

- Resolution No. 4 - Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 1-17-210.001 Known as 451
Martin Street To Rubina Khatoun, 1283 Arsenal Street,
Watertown, New York 13601

- Resolution No. 5 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 1-17-209.000 Known as 465 Martin Street To Rubina Khatoun, 1283 Arsenal Street, Watertown, New York 13601
- Resolution No. 6 - Authorizing Sale of Real Property, Known as 523 Jefferson Street to A . Brown Properties LLC, 248 High Street, Watertown, New York 13601
- Resolution No. 7 - Authorizing Sale of Real Property, Known as 89 Alexandria Avenue to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- Resolution No. 8 - Authorizing Sale of Real Property, Known as 90 - 93 Alexandria Avenue to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- Resolution No. 9 - Authorizing Sale of Real Property, Known as 425 Court Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- Resolution No. 10 - Authorizing Sale of Real Property, Known as 670 Rear Grant Street to Ronald M. Mitchell and Nicole L. Neil, 819 Holcomb Street, Watertown, NY 13601
- Resolution No. 11 - Authorizing Sale of Real Property, Known as 111 Rear Scio Street to Michael Goerger, 45 Church Street Alexandria Bay, New York 13607
- Resolution No. 12 - Authorizing Sale of Real Property, Known as 33 Bk Stuart Street to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- Resolution No. 13 - Authorizing Sale of Real Property, Known as 35 Stuart Street to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- Resolution No. 14 - Authorizing Sale of Real Property, Known as 165 Rear Union Street to Neil A. Fox, P.O. Box 517, Dexter, New York 13634
- Resolution No. 15 - Authorizing Sale of Real Property, Known as VL-4 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340

- Resolution No. 16 - Authorizing Sale of Real Property, Known as VL-5 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- Resolution No. 17 - Authorizing Sale of Real Property, Known as VL-6 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- Resolution No. 18 - Authorizing Sale of Real Property, Known as 59 Woodley Street to Anthony Garcia, 917 Salina Street, Watertown, New York 13601
- Resolution No. 19 - Authorizing Sale of Real Property, Known as 60 Woodley Street to Anthony Garcia, 917 Salina Street, Watertown, New York 13601
- Resolution No. 20 - Approving Amendment No. 76 to the Management and Management Confidential Pay Plan
- Resolution No. 21 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Watertown Hockey Association
- Resolution No. 22 - Accepting Bid for the Rehabilitation of the Water Treatment Plant's Dosing Station Dam, Acts II Construction, Inc.
- Resolution No. 23 - Re-Adoption of Fiscal Years 2010-11 through 2014-2015 Capital Budget
- Resolution No. 24 - Finding that the Zoning Amendment Request and Site Plan Application of Brian J. Drake of GYMO, P.C., submitted on behalf of Purcell Construction Corp., to Amend Planned Development District # 16 to Allow the Construction of Two Enriched Living Buildings and Five Two-Unit Dwellings in the 1200 Block of Jewell Drive, Parcel Numbers 14-49-101, 14-49-101.005 and 14-49-101.101 Will Not Have a Significant Impact on the Environment
- Resolution No. 25 - Finding that the Design and Construction of the J. B. Wise Parking Lot Reconstruction Project Will Not Have a Significant Impact on the Environment
- Resolution No. 26 - Approving the Site Plan for the Construction of a 13,913 sq. ft. Enriched Living Facility and Five Two-Unit Dwellings Totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005

ORDINANCES

- Ordinance No. 1 - An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City
- Ordinance No. 2 - Approving the Zone Change Request Submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern on Behalf of Route 57 Development to Change the Approved Zoning Classification of the Rear Portion of 420 State Street, Parcel No. 12-03-220 from Residence C to Commercial

LOCAL LAW

PUBLIC HEARING

- 7:30 p.m. Resolution Approving Option Agreement Extension – City Center Industrial Park
- 7:30 p.m. Ordinance Approving the Zoning Amendment Request Submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to Amend Planned Development District # 16 to Allow Two Enriched Living Buildings and Five Two-Unit Dwellings and Eliminate a Previously Approved Assisted Living Facility on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101
- 7:30 p.m. Resolution Abandoning a Portion of Massey Street North Adjacent to 229 Massey Street North

OLD BUSINESS

- Tabled - Resolution Approving Amendments to the City of Watertown Health Insurance Plan Design

STAFF REPORTS

1. Federal Medical Assistance Percentages Contingency Plan
2. Sales Tax Revenue – August 2010
3. 26th Bravo Italiano Festival
4. Development Authority of the North Country's 25th Anniversary Open House

5. Online Auction With Auctions International, Inc., Surplus Vehicles

NEW BUSINESS

EXECUTIVE SESSION

1. Litigation

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
MONDAY, OCTOBER 4, 2010.**

Res Nos. 1-5

September 9, 2010

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Tax Sale Certificate Assignments

The City of Watertown is the holder of tax sale certificates on certain parcels for which the redemption period has expired. The City does not wish to take title to these parcels. On August 2, 2010, City Council approved a public auction to be held on September 8, 2010 to receive bids on the tax sale certificates.

<u>Address</u>	<u>High Bid</u>	<u>Bidder</u>
560 Main Street West	\$ 100	Janet M. Abrams
430 Court Street	\$ 100	Clifford K. Pickett Sr.
1543 State Street	\$ 8,750	Husky Property Management LLC
451 Martin Street	\$ 100	Rubina Khatoon
465 Martin Street	\$ 100	Rubina Khatoon

The following resolutions have been prepared for City Council consideration to accept the high bids submitted and authorize the assignment of the tax sale certificates to the bidders listed above.

Please note that there was no bid received on the tax sale certificate for 465 Martin Street at the time of the auction. Ms. Rubina Khatoon contacted my office on the following day and requested that she be allowed to submit a bid at the minimum price of \$100.

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 1-01-128.000 Known as 560 Main Street West To Janet M. Abrams, 603 LeRay Street, Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 560 Main Street West as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-01-128.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on September 8, 2010 as authorized by City Council on August 2, 2010 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$100.00 submitted by Janet M. Abrams for the purchase of the tax sale certificate for Parcel No. 01-01-128.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Janet M. Abrams upon the Comptroller's receipt of certified funds in the amount of \$100.00.

Seconded by

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 7-07-203.000 Known as 430 Court Street To Clifford K. Pickett, Sr., 225 Mechanic Street, Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 430 Court Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-07-203.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on September 8, 2010 as authorized by City Council on August 2, 2010 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$100.00 submitted by Clifford K. Pickett, Sr. for the purchase of the tax sale certificate for Parcel No. 07-07-203.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Clifford K. Pickett, Sr. upon the Comptroller's receipt of certified funds in the amount of \$100.00.

Seconded by

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 5-14-103.000
Known as 1543 State Street
To Husky Property Management LLC, 700 Mill Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 1543 State Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 05-14-103.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on September 8, 2010 as authorized by City Council on August 2, 2010 for the purpose of assigning the City’s tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$8,750.00 submitted by Husky Property Management, LLC for the purchase of the tax sale certificate for Parcel No. 05-14-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City’s tax sale certificate for the above parcel to Husky Property Management, LLC upon the Comptroller’s receipt of certified funds in the amount of \$8,750.00.

Seconded by

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 1-17-210.001 Known as 451 Martin Street To Rubina Khatoon, 1283 Arsenal Street, Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 451 Martin Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-17-210.001, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on September 8, 2010 as authorized by City Council on August 2, 2010 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$100.00 submitted by Rubina Khatoon for the purchase of the tax sale certificate for Parcel No. 01-17-210.001, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Rubina Khatoon upon the Comptroller's receipt of certified funds in the amount of \$100.00.

Seconded by

RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale
Certificate on Parcel Number 1-17-209.000
Known as 465 Martin Street
To Rubina Khatoon, 1283 Arsenal Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown is the owner of a certain tax sale certificate on a lot of land known as 465 Martin Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-17-209.000, and

WHEREAS the tax sale certificate has not been redeemed within the two year redemption period per City Charter Section 140, and

WHEREAS the City Council does not wish to take title to this property, and

WHEREAS the City Comptroller held a public auction on September 8, 2010 as authorized by City Council on August 2, 2010 for the purpose of assigning the City's tax sale certificate,

NOW THEREFORE BE IT RESOLVED that the offer of \$100.00 submitted by Rubina Khatoon for the purchase of the tax sale certificate for Parcel No. 01-17-209.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

BE IT FURTHER RESOLVED that the City Comptroller is directed to assign the City's tax sale certificate for the above parcel to Rubina Khatoon upon the Comptroller's receipt of certified funds in the amount of \$100.00.

Seconded by

Res Nos. 6-19

September 9, 2010

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Sale of City Property

On September 8, 2010, the City Comptroller's Office held a public auction of City owned properties. The results of the auction are as follows:

Parcel Number	Address	Bid Amount	Bidder Name
06-04-209.000	523 Jefferson Street	\$ 2,250	A. Brown Properties LLC
01-10-124.000	89 Alexandria Avenue	\$ 100	Ray E. Worcester
01-10-125.000	90 - 93 Alexandria Ave.	\$ 400	Ray E. Worcester
07-03-314.000	425 Court Street	\$ 100	Mahmut Tandogan
04-05-125.003	670 Rear Grant Street	\$ 100	Ronald M. Mitchell and Nicole L. Neil
07-11-216.000	111 Rear Scio Street	\$ 100	Michael Goerger
03-06-406.000	33 BK Stuart Street	\$ 100	Ray E. Worcester
03-06-407.000	35 Stuart Street	\$ 100	Ray E. Worcester
12-02-113.001	165 Rear Union Street	\$500	Neil A. Fox
04-23-103.000	VL-4 Water Street	\$ 2,500	Mahmut Tandogan
04-16-102.000	VL-5 Water Street	\$ 100	Mahmut Tandogan
04-23-102.000	VL-6 Water Street	\$ 100	Mahmut Tandogan
01-24-202.000	59 Woodley Street	\$ 100	Anthony Garcia
01-24-201.000	60 Woodley Street	\$ 100	Anthony Garcia

The required 10% deposit has been received for each parcel. Resolutions authorizing the sale of each property are attached for City Council consideration. All of the above high bidders are current with property taxes and have no outstanding issues with Code Enforcement.

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
 Known as 523 Jefferson Street to
 A . Brown Properties LLC, 248 High Street,
 Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 523 Jefferson Street, approximately 24' x 42' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 06-04-209.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,250.00 submitted by A. Brown Properties, LLC for the purchase of Parcel No. 06-04-209.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 523 Jefferson Street to
A . Brown Properties LLC, 248 High Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to A. Brown Properties, LLC upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
 Known as 89 Alexandria Avenue to
 Ray E. Worcester, 152 Winthrop Street,
 Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 89 Alexandria Avenue, approximately 30' x 70' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-10-124.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Ray E. Worcester for the purchase of Parcel No. 01-10-124.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 89 Alexandria Avenue to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ray E. Worcester upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 90 - 93 Alexandria Avenue to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 90 - 93 Alexandria Avenue, approximately 120' x 70' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-10-125.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$400.00 submitted by Ray E. Worcester for the purchase of Parcel No. 01-10-125.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 90 - 93 Alexandria Avenue to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ray E. Worcester upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 425 Court Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 425 Court Street, approximately 40' x 70' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-03-314.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 07-03-314.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 425 Court Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Mahmut Tandogan upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 670 Rear Grant Street to
Ronald M. Mitchell and Nicole L. Neil,
819 Holcomb Street, Watertown, NY 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 670 Rear Grant Street, approximately 50' x 20' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-05-125.003, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Ronald M. Mitchell and Nicole L. Neil for the purchase of Parcel No. 04-05-125.003, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 670 Rear Grant Street to
Ronald M. Mitchell and Nicole L. Neil,
819 Holcomb Street, Watertown, NY 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ronald M. Mitchell and Nicole L. Neil upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 111 Rear Scio Street to
Michael Goerger, 45 Church Street
Alexandria Bay, New York 13607

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 111 Rear Scio Street, approximately .12 acre in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 07-11-216.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Michael Goerger for the purchase of Parcel No. 07-11-216.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 111 Rear Scio Street to
Michael Goerger, 45 Church Street
Alexandria Bay, New York 13607

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Michael Goerger upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 33 Bk Stuart Street to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 33 Bk Stuart Street, approximately 50' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 03-06-406.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Ray E. Worcester for the purchase of Parcel No. 03-06-406.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 33 Bk Stuart Street to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ray E. Worcester upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 35 Stuart Street to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 35 Stuart Street, approximately 50' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 03-06-407.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Ray E. Worcester for the purchase of Parcel No. 03-06-407.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 35 Stuart Street to
Ray E. Worcester, 152 Winthrop Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Ray E. Worcester upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 165 Rear Union Street to
Neil A. Fox, P.O. Box 517,
Dexter, New York 13634

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 165 Rear Union Street, approximately 60' x 37' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 12-02-113.001, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$500.00 submitted by Neil A. Fox for the purchase of Parcel No. 12-02-113.001, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
 Known as 165 Rear Union Street to
 Neil A. Fox, P.O. Box 517,
 Dexter, New York 13634

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Neil A. Fox upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as VL-4 Water Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL-4 Water Street, approximately 92' x 100' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-23-103.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,500.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-23-103.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as VL-4 Water Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Mahmut Tandogan upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as VL-5 Water Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL-5 Water Street, approximately 60' x 88' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-16-102.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-16-102.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as VL-5 Water Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Mahmut Tandogan upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
 Known as VL-6 Water Street to
 Mahmut Tandogan, 4 Knoxville Court,
 Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as VL-6 Water Street, approximately 30' x 46' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 04-23-102.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Mahmut Tandogan for the purchase of Parcel No. 04-23-102.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as VL-6 Water Street to
Mahmut Tandogan, 4 Knoxville Court,
Groton, Connecticut 06340

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Mahmut Tandogan upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 59 Woodley Street to
Anthony Garcia, 917 Salina Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 59 Woodley Street, approximately 50' x 73' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-24-202.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Anthony Garcia for the purchase of Parcel No. 01-24-202.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 59 Woodley Street to
Anthony Garcia, 917 Salina Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Anthony Garcia upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
 Known as 60 Woodley Street to
 Anthony Garcia, 917 Salina Street,
 Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 60 Woodley Street, approximately 50' x 73' in size, and also known and designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-24-201.000, and

WHEREAS title to said land has since been retained by the City of Watertown as acquired at said tax sale, which title was retained by reason of the failure of anyone to redeem the same, and

WHEREAS said real property has never been assigned by the Council for a public use, and

WHEREAS the City Council desires to ensure that properties such as this property be brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers,

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100.00 submitted by Anthony Garcia for the purchase of Parcel No. 01-24-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 60 Woodley Street to
Anthony Garcia, 917 Salina Street,
Watertown, New York 13601

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Jeffrey E. Graham, be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Anthony Garcia upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the deed issued by the City contain a provision that if the property sold is not brought into compliance with all applicable provisions of the Uniform Construction Codes, as defined by Watertown City Code Chapter 120, and the Code of the City of Watertown within one (1) year from the date of delivery of the quit claim deed of their sale to subsequent buyers, the City shall have the right to seek and be entitled to receive reversion of title to the premises to the City.

Seconded by

Res No. 20

September 15, 2010

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Amendment No. 76 to the Management and Management
Confidential Pay Plan, Deputy Fire Chief

Attached for City Council consideration is a resolution establishing the salary for the position of Deputy Fire Chief. It is my recommendation that the salary for this position be established at \$ 77,500, with a \$1,000 increase upon the successful completion of one year of service in the position.

Once the salary for this position is established, it is my intention to appoint Russell Randall as Deputy Fire Chief for the City of Watertown. Captain Randall is a twenty year veteran of the Fire Department. He joined the City's ranks on March 25, 1990 and has served the last eight (8) years as a Fire Captain in charge of the department's Rescue Company. Based on his knowledge and understanding of the Department, Captain Russell has been picked to serve on a number of departmental committees including, the rescue truck review committee, and the fire accreditation committee. He also has played a significant role in the department's development and utilization of its records management system, Firehouse. I look forward to having Captain Russell join the City's Management team.

Page 1 of 1

Approving Amendment No. 76 to the Management and Management Confidential Pay Plan

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 76 to the Management and Management Confidential Pay Plan, effective September 21, 2010 as follows:

Position	Salary
Deputy Fire Chief	\$ 77,500

Upon completing one year of service in this position, salary will increase by \$1,000.

Seconded by

September 13, 2010

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Hockey Association Bulk Ice Time Agreement

Last year the City of Watertown and the Watertown Hockey Association entered into an Agreement that provided for the bulk rental of ice time at the City's Arena. Last week, Superintendent of Parks and Recreation Jayme M. St. Croix and I met with Nina Harff, General Manager of the Watertown Hockey Association to discuss how this new arrangement worked. By all accounts the rental of bulk ice time worked well for both organizations.

Under the terms of this Agreement, the City will receive \$43,000 for the use of the City's Ice Arena, during the time slots detailed in the Agreement, plus an additional \$30. per hour for any event that charges admission at the door for entry use. During this past year, the Association used 701 hours and 13 minutes under the terms of the Agreement. In addition, there were 22 hours of time the Association used that was invoiced as time above and beyond the 'bulk ice agreement', which amounted to \$1,543.54 in revenue, plus the \$43,000 for 'bulk ice time'.

Under the terms of this Agreement, a total of 728 hours and 20 minutes are slotted for use by the Association. Time slots include early Saturday mornings, Columbus Day, Veteran's Day, the day before and after Thanksgiving, Christmas vacation week, and Winter vacation week. These additional hours are not the most popular times, and therefore may go used by any other group. It should be noted that some of the hours requested are non-prime time hours and would be charged at \$42/hour and for every four hours of non-prime time used, one free non-prime time hour is granted.

Attached for City Council review and consideration is a resolution authorizing the approval of the Agreement for bulk rental of ice time at the Watertown Municipal Arena. A copy of the Agreement is also attached for your review.

RESOLUTION

Page 1 of 1

Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Watertown Hockey Association

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown owns and operates an Arena at the Alex T. Duffy Fairgrounds, and

WHEREAS the Watertown Hockey Association expressed their desire to enter into an Agreement for bulk rental of ice time at the Fairgrounds Arena to support their programs, and

WHEREAS City Council of the City of Watertown desires to promote recreational activities at this community recreational facility,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby approves the Agreement for Bulk rental of Ice Time at the Watertown Municipal Arena between the City of Watertown and the Watertown Hockey Association, a copy of which is attached and made a part of this resolution, and

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

Seconded by

**AGREEMENT FOR BULK RENTAL OF ICE TIME
AT THE WATERTOWN MUNICIPAL ARENA
FAIRGROUNDS WATERTOWN, NEW YORK**

This Agreement is being made and is intended to be effective as of September 25, 2010 for a period of one (1) ice season between the City of Watertown, New York with its principal offices located at 245 Washington Street; Watertown, New York 13601 (the "CITY") and the Watertown Minor Hockey Association ("Hockey Association"), P. O. Box 371, Watertown, NY 13601.

INTRODUCTION

WHEREAS the City is a municipal corporation organized under the laws of the State of New York and, as such, owns a facility known as the Watertown Municipal Arena within the City of Watertown, and the ice arena is a community recreational facility, and

WHEREAS the City desires to promote future recreational activities at the ice arena for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that public purpose, the City desires to grant "bulk" ice time for the 2009 – 2010 ice season to the Hockey Association for the operation, management and maintenance of a skating program for the use of the people in the community wanting to learn and improve ice skating skills, and

WHEREAS in pursuit of the public purpose the City desires to enter an Agreement for the bulk rental of ice time provided by § 320-A, D of the City Code,

NOW, THEREFORE, in consideration of mutual covenants and agreements as stated herein, the City and the Watertown Hockey Association agree as follows:

AGREEMENT

SECTION I – TERM

The term of this agreement shall be from September 25, 2010 (the anticipated first day of ice in the Arena) through March 30, 2011.

SECTION II – PROPERTY

The City agrees to permit the Hockey Association to use a part of the City of Watertown Municipal Arena generally consisting of the ice surface, player boxes, penalty boxes, scorer's booth, changing rooms and hockey goals. The City grants the Hockey Association the right of ingress and egress over municipal property to the extent necessary to operate the hockey program on the City's ice sheet.

SECTION III – NONASSIGNABILITY

The City and Watertown Hockey agree that it is the purpose of this agreement to permit the use, operation, management and maintenance of the Hockey Program at the premises by the Hockey Association, and that this agreement may not be assigned by Watertown Hockey to any other person or entity. The Hockey Association agrees that the City’s consent to any assignment may be withheld for any reason, and in its sole discretion.

SECTION IV – COMPENSATION

A. The one time annual fee for “bulk ice time” as detailed in Section V of this Agreement is \$43,000 as offered by the Hockey Association to the City for the 2009 – 2010 ice season. Payment of the annual fee shall be made as follows:

One-half (1/2) to be paid upon the effective date of the agreement; and

The balance due will be paid on or before January 1, 2010. Payment of the fees shall be made by the Hockey Association to the City Comptroller.

B. The Hockey Association will pay an additional \$30 per hour anytime their ice time slot rental is for an event that charges admission at the door for entry. Admission is defined as any fee to enter the event such as a cover charge, pass, raffle, donation or any means of recouping a fee to enter the facility. If time beyond that allocated in Section V is requested for a event that charges admission at the door for entry, the Hockey Association will pay based on the City’s established rates.

SECTION V – ICE TIME

A. The City will provide the Hockey Association annual ice time slots that are set aside for the organization each season. These times, with some minor adjustment, are based on previous years and include:

Day of the Week	Time of Day
Sunday	7:30 a.m. to 1:05 p.m.; 3:10 p.m. to 6:10 p.m.
Monday	6:00 p.m. to 8:30 p.m.
Tuesday	4:20 p.m. to 7:05 p.m.; 9:00 p.m. to 10:00 p.m.
Thursday	5:05 p.m. to 7:05 p.m.
Saturday	7:30 a.m. to 1:05 p.m.; 4:50 p.m. to 7:30 p.m.

B. In addition to the time listed above the City will set aside the additional times requested by the Association that include:

Day of the Week	Time of Day
Saturday	6:30 a.m. to 7:30 a.m.
Columbus Day	6:35 a.m. to 10:35 a.m.
Veterans' Day	6:35 a.m. to 10:35 a.m.
Wednesday before Thanksgiving	6:35 a.m. to 10:35 a.m.
Friday after Thanksgiving	6:35 a.m. to 10:35 a.m.
Christmas School vacation	6:35 a.m. to 10:35 a.m.
Martin Luther King Day	6:35 a.m. to 10:35 a.m.
Winter School vacation	6:35 a.m. to 10:35 a.m.

C. In the event ice time is not used a courtesy call shall be made within a reasonable time frame. The City at that point shall have the option to resell the ice time without affecting this contract.

D. The Hockey Association recognizes that the Arena will be closed Thanksgiving Day, Christmas Eve, Christmas Day, New Year's Eve, and New Year's Day and therefore no ice time will be available and time missed will not be compensated.

E. The Hockey Association agrees to give up ice time and allow for annual events such as all local High School Hockey Games and for Watertown Figure Skating Club's annual testing session, exhibition and show.

F. Ice time for any Hockey Association tournaments will be negotiated with the rental groups that are affected. In any event Hockey Association will use their own scheduled ice time first before canceling another group's time.

G. The Hockey Association agrees to hold the City harmless should the Arena be closed for any unforeseen circumstance such as weather, emergencies or other items the City has no control over.

H. Any additional time requested by the Hockey Association above and beyond the ice time slots listed in Section V of this Agreement, will be billed in accordance with the rates established in the City Code Section 320, Article III, § a320-4, Schedule of Fees.

SECTION VI – MAINTENANCE

A. The City agrees that it will keep the premises, including any structural or capital repairs and improvements, in good repair during the term of this agreement at its own expense. The City further agrees that it shall provide reasonable and normal ice surface for skating purposes.

SECTION VII – INSURANCE

A. The Hockey Association agrees to furnish and maintain during the term of this Agreement general liability insurance in the amount of \$500,000/\$1,000,000 combined single limit per occurrence, and property damage insurance in the sum of \$50,000 per occurrence. Hockey Association's policy of liability insurance shall name the City as a certificate holder and as an additional named insured without restriction to vicarious liability issues only. Hockey Association shall provide the City with copies of its declaration pages for the policy or policies during the duration of this Agreement, and those declaration pages must be delivered to the City prior to Hockey Association's commencement of any activities on the premises.

B. The Hockey Association shall procure and maintain Worker's Compensation Insurance and Disability Insurance in accordance with the laws of the State of New York. This insurance shall cover all persons who are employees of the Franchisee under the laws of the State of New York.

SECTION VIII – HOLD HARMLESS

The Hockey Association shall indemnify and hold the City harmless including reimbursement for reasonable attorney's fees from any and all loss, claims, costs or expenses arising out of any claim of liability for injuries or damages to persons or to property sustained by any person or entity by reason of the Hockey Association's operation, use or occupation of the premises, or by or resulting from any act or omission of the Hockey Association, or any of its officers, agents, employees, guests, patrons or invitees. Coverage under the liability insurance in the type and amounts identified in Section IX naming the City as an additional named insured shall be sufficient for purposes of meeting Hockey Association's obligations under this paragraph.

SECTION IX – TERMINATION

This franchise may be terminated by the City, for cause, upon any of the following:

A. Violation of the Hockey Association of any of the applicable laws and regulations of the State of New York including regulations promulgated by the New York State Department of Health.

B. This Agreement may also be terminated by the City for the Hockey Association's failure to comply with any of the provisions of the agreement.

SECTION X – NO RECOURSE

A. The Hockey Association acknowledges and agrees that the premises may be subject to being shut down for any number of reasons including down time for structural repairs, and the Hockey Association agrees that it shall have no recourse against the City for damages in the event the premises are unavailable for use.

SECTION XI – VENUE AND APPLICABLE LAW

A. The City and the Hockey Association agree that the venue of any legal action arising from a claimed breach of this Agreement is in the Supreme Court, in and for the County of Jefferson.

B. This agreement shall be construed in accordance with the laws of the State of New York.

SECTION XII – SAVINGS CLAUSE

The parties acknowledge that it is important to the parties to have a valid agreement in connection with the subject matter. Therefore, the parties agree that, to the extent any term, condition, or provision of this agreement is found to be invalid, for any reason, the remainder of this agreement shall, to the extent possible, remain in full force and effect for the contract term or for any extension thereof.

SECTION XIII ENTIRE AGREEMENT

This agreement represents the entire agreement between the parties in connection with the referenced subject matter, and each party acknowledges that there are no promises, agreements, conditions or understandings, either oral or written, express or implied, which are not set forth in this agreement. Each party further agrees that no change to the terms of this agreement shall be binding unless such change is in writing and signed by both parties.

SECTION XIV – NOTICE

All notices required to be given under this agreement shall be in writing and shall be deemed to have been duly given on the date mailed. If sent by certified mail, return receipt requested to:

City:

City Manager
245 Washington Street
Watertown, New York 13601

Association:

Watertown Minor Hockey Association
P.O. Box 371
Watertown, New York 13601

IN WITNESS WHEREOF, the City and Watertown Minor Hockey Association have caused this agreement to be executed by the parties and is to be effective as of September 25, 2010.

THE CITY OF WATERTOWN, NEW YORK

By: _____
Mary M. Corriveau, City Manager

WATERTOWN MINOR HOCKEY ASSOCIATION

By: _____
Nina Harff, General Manager

September 15, 2010

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Accepting Bid for the Rehabilitation of the Water Treatment Plant's Dosing Station Dam, Acts II Construction, Inc.

The City Purchasing Department advertised for sealed bids for the rehabilitation of the dam at the City's Water Treatment Plant's dosing facility on Eastern Boulevard, per the City's specifications. Plan sets were issued to ten (10) prospective bidders with five (5) sealed bids submitted to the City Purchasing Department where they were publicly opened and read on Friday, September 3, 2010, at 11:00 a.m.

The Fiscal Year 2009 -10 Capital Budget contains the dosing station facility improvements project in the amount of \$220,000. This project addresses the leakage on the upstream side of the dam through the installation and filling of special grout bags and grouting of cracks and areas where the original concrete is spalling. Additionally, the Fiscal Year 2010-11 Capital Budget contains project in FY 2011-12 for the second phase of this work, in the amount of \$190,000.

Based on the favorable bidding amounts the City has been receiving, this bid was let with the second phase of the project listed as Alternate A. City Purchasing Agent Robert J. Cleaver has reviewed the bids received with City Engineer, Kurt W. Hauk, and Water Superintendent Gary E. Pilon, and it is their recommendation that the City Council accept the base bid and Alternate A bid submitted by Acts II Construction, Inc., Gouverneur, New York, in the total amount of \$330,450.00 as the lowest qualifying bid meeting the City's specifications

The attached Resolution approving the bid is contingent on the City Council approving the Bond Ordinance to fund this project and a Resolution amending the Fiscal Year 2010 – 2015 Capital Budget to move Phase II of this project into the 2010-2011 fiscal year. The Bond Ordinance and resolution to amend the Capital Budget are contained in this agenda package.

RESOLUTION

Page 1 of 1

Accepting Bid for the Rehabilitation of the Water Treatment Plant's Dosing Station Dam, Acts II Construction, Inc.

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for the rehabilitation of the dam at the City's Water Treatment Plant's dosing facility on Eastern Boulevard, per the City's specifications, and

WHEREAS plan sets were issued to ten (10) prospective bidders with five (5) sealed bids submitted to the City Purchasing Department where they were publicly opened and read on Friday, September 3, 2010, at 11:00 a.m., and

WHEREAS City Purchasing Agent Robert J. Cleaver has reviewed the bids received with City Engineer, Kurt W. Hauk, and Water Superintendent Gary E. Pilon, and it is their recommendation that the City Council accept the bid submitted by Acts II Construction, Inc., Gouverneur, New York, in the total amount of \$330,450.00 as the lowest qualifying bid meeting the City's specifications, and

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby accepts the bid in the total amount of \$330,450.00 submitted by Acts II Construction, Inc., Gouverneur, New York, for rehabilitation of the dam at the City's Water Treatment Plant's dosing facility on Eastern Boulevard, per the City's specifications, and

BE IT FURTHER RESOLVED that acceptance of this bid is contingent on the City Council approval of the Bond Ordinance to fund said project, and a resolution amending the FY 2010-2015 Capital Budget to reflect the advancing of this project from 2011-2012 to 2010-2011.

Seconded by



CITY OF WATERTOWN, NEW YORK

ROOM 205, MUNICIPAL BUILDING
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601
Tel. (315) 785-7749 • Fax (315) 782-9014

ROBERT J. CLEAVER
PURCHASING AGENT

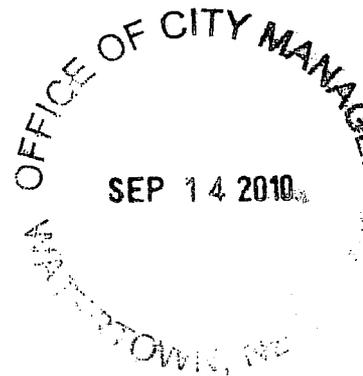
September 14, 2010

To: Mary Corriveau
From: Robert J. Cleaver
Subject: Dosing Station Dam Rehabilitation Bid

The City's Purchasing Department advertised in the Watertown Daily Times, on Thursday, July 23, 2010 calling for sealed bids for the rehabilitation of the Dam at the City's Dosing Facility on Eastern Boulevard per City's bid specifications. The Dodge Reports, NNY and Syracuse Builders Exchanges were also notified of the pending bid.

Plan sets were issued to 10 potential bidders with 5 bids submitted to the Purchasing Department where they were publicly opened and read on Friday, September 3, 2010 at 11:00 am local time. Results of those bids are as follows:

1)	Acts II Construction, Inc. 658 US Hwy 11 Gouverneur, N.Y. 13642		\$ 277,950.00 Alt A \$ <u>52,500.00</u> \$ 330,450.00
2)	Town & County Bridge and Rail Inc. P.O. Box 16395 Albany, N.Y. 12212		\$ 316,940.00 Alt A \$ <u>42,000.00</u> \$ 358,940.00
3)	Tioga Construction Company, Inc. 333 Gros Blvd Herkimer, N.Y. 13350		\$ 411,775.00 Alt A \$ <u>46,200.00</u> \$ 457,975.00
4)	Hole Industrial Services, Inc. 770 Riverview Boulevard Tonawanda,, N.Y. 14150		\$ 505,725.00 Alt A \$ <u>148,000.00</u> \$ 653,725.00
5)	Tuscarora Construction Co. Inc. 4530 US Route 11 Pulaski, N.Y. 13601		\$ 696,950.00 Alt A \$ <u>186,900.00</u> \$ 883,850.00



I have reviewed the bid submittals with City Engineer, Kurt Hauk, Water Superintendent, Gary Pilon and it is my recommendation that we accept the lowest qualifying bid submitted by Acts II Construction, Gouverneur, N.Y in the amount of \$330, 450.00 inclusive of Alternate A.

The Capital appropriation in the 2009/2010 budget for this project is \$220,000.00

If you have any questions regarding this recommendation please contact me at your convenience.

cc: Jim Mills, Comptroller
Kurt Hauk, City Engineer
Gary Pilon, Water Superintendent



1869

CITY OF WATERTOWN, NEW YORK

DEPARTMENT OF ENGINEERING

Room 305, City Hall
245 Washington Street
Watertown, New York 13601

Tel. (315) 785-7740

Fax (315) 785-7829

September 14, 2010

RE: Recommendation of Bid
Water Treatment Plant Dosing Station Dam Rehabilitation

Dear Mr. Cleaver

On August 26, 2010, sealed bids for the rehabilitation of the Water Treatment Plant's Dosing Station Dam were received and opened. The lowest bid was Acts II Construction Inc. of 658 US Hwy. 11 South, Gouverneur, N.Y. at \$277,950.00 for the Base Bid and \$52,500 for the Alternate A work.

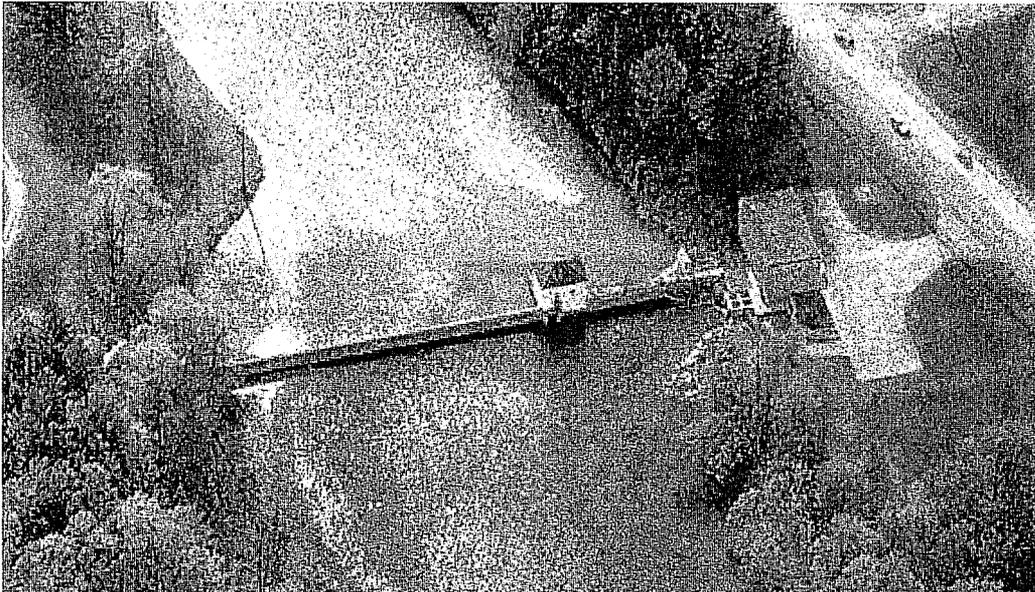
Listed references provided by the contractor were verified and the contractor is satisfactorily qualified for the project. Contractor has completed previous work on time and on budget for similar projects. Contractor has established a good working relationship with other municipalities in the region.

After review of all received bids it is recommended that the project be awarded to Acts II Construction Inc. of Gouverneur, N.Y.

Sincerely,

Kurt Hauk, PE
City Engineer
City of Watertown
245 Washington St
Watertown, NY 13601
315-785-7740

FISCAL YEAR 2009-2010
 CAPITAL BUDGET
 FACILITY IMPROVEMENTS
 DOSING STATION

PROJECT DESCRIPTION	COST
<p>Dosing Station Dam Rehabilitation Phase I</p> <p>Leakage at the upstream side of the dam will be addressed through the installation and filling of special grout bags and grouting of any visible surface cracks and areas where the original concrete is spalling.</p> 	\$220,000
<p>15 year bond with FY 2010-11 projected debt service of \$25,667</p>	
TOTAL	\$220,000

September 15, 2010

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Capital Budget Re-Adoption

On June 7, 2010 the City Council adopted the Fiscal Years 2010-2011 through 2014-2015 Capital Budget which included the Dosing Station Dam rehabilitation project. The project was planned to be completed in two phases with Phase I of the rehabilitation project in the amount of \$220,000 budgeted in Fiscal Year 2010-11 and Phase II of the rehabilitation project in the amount of \$190,000 planned for Fiscal Year 2011-12.

Since the adoption of the Capital Budget, the City Engineering Department has bid out Phase I of the project and requested contractors bid as an alternate phase II of the project. It is the recommendation of Kurt Hauk, City Engineer and Gary Pilon, Water Superintendent to accept the bid submitted by Acts II Construction Inc. for the base bid of \$227,950 and Alternate A in the amount of \$52,500.

A resolution amending the Capital Budget to allow for this modification has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Re-Adoption of Fiscal Years 2010-11 through
2014-2015 Capital Budget

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

WHEREAS on June 7, 2010 the City Council adopted the Fiscal Years 2010-11 through 2014-15 Capital Budget which included the Dosing Station Dam Phase II rehabilitation project in the amount of \$190,000 in Fiscal Year 2011-12, and

WHEREAS City Council desires to accept the bid alternate submitted by Acts II Construction Inc. for the Dosing Station Dam Phase II rehabilitation project in the amount of \$52,500, and

NOW THEREFORE BE IT RESOLVED that the Fiscal Years 2010-11 through 2014-15 Capital Budget is amended to include the Dosing Station Dam Phase II rehabilitation project at an estimated cost of \$52,500 in FY 2010-11.

Seconded by

September 15, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Finding That the Zoning Amendment Request and Site Plan Application of Brian J. Drake of GYMO, P.C. Submitted on Behalf of Purcell Construction Corp. for Planned Development District No. 16 to Allow the Construction of Two Enriched Living Buildings and Five Two-Unit Dwellings in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101 Will Not Have a Significant Impact on the Environment

The City Council has before it two related requests pertaining Planned Development District No. 16. The applicant is requesting an amendment to Planned Development District No. 16, which includes a preliminary site plan and he is requesting approval of the final site plan. Both approvals lead to the same action, which is the construction of five two-unit dwellings and an enriched living facility with a second enriched living facility to be constructed in the future. The City Council only needs to review the environmental impacts one time.

The City Council must respond to the questions in Part II, and in Part III if necessary, of the Environmental Assessment Form before voting on the attached resolution. The resolution finds that the proposed project will not have a significant impact on the environment.

RESOLUTION

Page 1 of 2

Finding that the Zoning Amendment Request and Site Plan Application of Brian J. Drake of GYMO, P.C., submitted on behalf of Purcell Construction Corp., for Planned Development District # 16 to Allow the Construction of Two Enriched Living Buildings and Five Two-Unit Dwellings in the 1200 Block of Jewell Drive, Parcel Numbers 14-49-101, 14-49-101.005 and 14-49-101.101 Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown, New York, has before it an ordinance for the zoning amendment request of Brian J. Drake of GYMO, P.C., submitted on behalf of Purcell Construction Corp. to amend Planned Development District # 16 to allow two enriched living buildings, five two-unit dwellings and eliminate a previously approved assisted living facility on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101, and

WHEREAS the City Council also has before it a site plan application from Brian J. Drake of GYMO, P.C., submitted on behalf of Purcell Construction Corp. to allow the construction of a 13,913 sq. ft. enriched living facility and five two-unit dwellings totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Numbers 14-49-101 and 14-49-101.005, and

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

WHEREAS the adoption of the proposed ordinance and site plan approval would constitute such an "Action," and

WHEREAS the City Council has determined that the proposed ordinance and site plan approval is an "Unlisted Action" as that term is defined by 6NYCRR Section 617.2(ak), and

RESOLUTION

Page 2 of 2

Finding that the Zoning Amendment Request and Site Plan Application of Brian J. Drake of GYMO, P.C., submitted on behalf of Purcell Construction Corp., for Planned Development District # 16 to Allow the Construction of Two Enriched Living Buildings and Five Two-Unit Dwellings in the 1200 Block of Jewell Drive, Parcel Numbers 14-49-101, 14-49-101.005 and 14-49-101.101 Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change and site plan approval will have a significant effect on the environment, Part I 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 in comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the adoption of the zone change and approval of the site plan will not have a significant impact on the environment.
2. The Mayor of the City of Watertown is authorized to execute Part 3 of the Environmental Assessment Form to effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This resolution shall take effect immediately.

Seconded by

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12?

If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If NO, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

C2. Aesthetic agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

C3. Vegetation or fauna, fish shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?

Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?

Yes No If yes, explain briefly

PART III – DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.

Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Finding that the Design and Construction of the J. B. Wise Parking Lot Reconstruction Project Will Not Have a Significant Impact on the Environment.

As the City Council is aware, the design of the J. B. Wise Parking Lot Reconstruction Project is complete and the City has solicited bids for construction. As part of the design and bidding process, the City Council needs to address the potential environmental impacts of the proposed project.

The construction project is located substantially contiguous to the Public Square Historic District and it is therefore, classified as a Type 1 Action under the State Environmental Quality Review Act (SEQRA), requiring a coordinated review with all other involved agencies.

Besides the City Council, the other involved agencies that have been identified are the New York State Department of State (NYSDOS), the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP), the New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH). The coordinated review was initiated on August 24, 2010.

All of the involved agencies have responded either in writing or verbally and concur that the City of Watertown should be lead agency. The attached letter from the NYSDEC mentions the need for SPDES permit and their approval of the sanitary sewer plans. Also attached is a letter from NYSOPRHP and an email from NYSDOS.

The City Council must respond to the questions in Part 2 of the Environmental Assessment Form and in Part 3, if necessary. The resolution prepared for City Council consideration states that the proposed project will not have a significant impact on the environment.

RESOLUTION

Page 1 of 2

Finding that the Design and Construction of the J. B. Wise Parking Lot Reconstruction Project Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown has been awarded funding from the New York State Department of State, Office of Coastal, Local Government & Community Sustainability for the design and construction of the J. B. Wise Parking Lot Reconstruction Project, and

WHEREAS the J. B. Wise Parking Lot Reconstruction Project includes pavement and parking lot reconstruction, new sidewalks, lighting, the installation of new sanitary sewer, storm water quality basins, water main replacement, a covered walkway, a prefabricated restroom facility, landscaping and site amenities, and

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

WHEREAS the J. B. Wise Parking Lot Reconstruction Project would constitute such an action, and

WHEREAS the City Council has determined that the J. B. Wise Parking Lot Reconstruction Project is a Type 1 Action as that term is defined in 6NYCRR Section 617.2, and

WHEREAS the City initiated a coordinated review with all other involved agencies and received no objections to the City Council being established as the lead agency, and

WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part 1 of a Full Environmental Assessment Form has been prepared by Staff, a copy of which is attached and made part of this resolution,

RESOLUTION

Page 2 of 2

Finding that the Design and Construction of the J. B. Wise Parking Lot Reconstruction Project Will Not Have a Significant Impact on the Environment

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that:

1. It is established as Lead Agency for the J. B. Wise Parking Lot Reconstruction Project for the purposes of the State Environmental Quality Review.
2. Based upon its examination of the Environmental Assessment Form, in comparison of the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the construction of the project will not have a significant impact on the environment.
3. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
4. This resolution shall take effect immediately.

Seconded by

FULL ENVIRONMENTAL ASSESSMENT FORM

PURPOSE: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance. The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

FULL EAF COMPONENTS: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Part 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identified whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, than Part 3 is used to evaluate whether or not the impact is actually important.

DETERMINATION OF SIGNIFICANCE – Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: [] Part 1 [] Part 2 [] Part 3

Upon review of the information recorded on this EAF (Parts 1, 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

- [] A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore, a negative declaration will be prepared.
[] B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore, a CONDITIONED negative declaration will be prepared.*.
[] C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore, a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted actions.

J.B. Wise Parking Lot Reconstruction Project

NAME OF ACTION

City of Watertown

NAME OF LEAD AGENCY

Jeffrey E. Graham

PRINT OR TYPE NAME OF RESPONSIBLE OFFICER IN LEAD AGENCY

Mayor

TITLE OF RESPONSIBLE OFFICER

SIGNATURE OF RESPONSIBLE OFFICER IN LEAD AGENCY

SIGNATURE OF PREPARED (IF DIFFERENT FROM RESPONSIBLE OFFICER)

Date

PART 1 – PROJECT INFORMATION

Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

NAME OF ACTION J B Wise Parking Lot Reconstruction Project		
LOCATION OF ACTION (Include Street Address, Municipality and County) J B Wise Parking Lot on Black River Parkway		
NAME OF APPLICANT/SPONSOR City of Watertown		BUSINESS TELEPHONE (315) 785-7730
ADDRESS 245 Washington Street		
CITY/PO Watertown		STATE NY
		ZIP CODE 13601
NAME OF OWNER (If different)		BUSINESS TELEPHONE
ADDRESS		
CITY/PO		STATE
		ZIP CODE
DESCRIPTION OF ACTION The J.B. Wise Parking Lot Reconstruction Project includes the installation of new sanitary sewer and sanitary manholes, storm water quality basins, water main replacement, pavement and parking lot reconstruction, new sidewalks and lighting. The project also includes a new restroom facility, covered walkway and numerous site amenities such as trees, shrubs, benches, trash receptacles, planters and bike racks. The property is located adjacent to the Public Square Historic District.		

Please complete Each Question – Indicate N.A. if not applicable

A. Site Description

Physical setting of overall project, both developed and undeveloped areas.

1. Present land use: Urban Industrial Commercial Residential (suburban)
 Rural (non-farm) Forest Agriculture Other

2. Total acreage of project area: 4.6 acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	<u>0.16</u> acres	<u>0.0</u> acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	<u>3.66</u> acres	<u>3.38</u> acres
Other (Indicate type) Lawn Areas	<u>0.78</u> acres	<u>1.22</u> acres

3. What is predominant soil type(s) on project site? Most of site is paved. Any soil on site is disturbed urban soil.

a. Soil drainage: Well drained 100 % of site Moderately well drained _____ % of site
 Poorly drained _____ % of site

b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres. (See 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? Yes No

a. What is depth of bedrock? N/A (in feet)

5. Approximate percentage of proposed project site with slopes: 0-10% 100% 10-15% _____ %
 15% or greater _____ %
6. Is project substantially contiguous to, or contain a building, site, or district listed on the State or the National Registers of Historic Places? Yes No
7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes No
8. What is the depth of the water table? Unknown (in feet)
9. Is site located over a primary, principal, or sole source aquifer? Yes No
10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? Yes No
11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?
 Yes No According to Letter from Jean Pietrusiak - NY Natural Heritage Program (DEC)
Identify each species _____
12. Are there any unique or unusual landforms on the project site? (i.e. cliffs, dunes, other geological formations)
 Yes No Describe _____
13. Is the project site presently used by the community or neighborhood as an open space or recreation area?
 Yes No If yes, explain _____
14. Does the present site include scenic views known to be important to the community? Yes No
15. Streams within or contiguous to project area: None
a. Name of Stream and name of River to which it is tributary _____
16. Lakes, ponds, wetland areas within or contiguous to project area:
a. Name N/A b. Size (In acres) N/A
17. Is the site served by existing public utilities? Yes No
a. If Yes, does sufficient capacity exist to allow connection? Yes No
b. If Yes, will improvements be necessary to allow connection? Yes No
18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? Yes No
19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? Yes No
20. Has the site ever been used for the disposal of solid or hazardous wastes? Yes No

B. Project Description

1. Physical dimensions and scale of project (fill in dimensions as appropriate)
 - a. Total contiguous acreage owned or controlled by project sponsor 4.6 acres.
 - b. Project acreage to be developed: 4.6 acres initially; 4.6 acres ultimately.
 - c. Project acreage to remain undeveloped 0 acres.
 - d. Length of project, in miles: N/A (If appropriate)
 - e. If the project is an expansion, indicate percent of expansion proposed N/A %;
 - f. Number of off-street parking spaces existing 324; proposed 266
 - g. Maximum vehicular trips generated per hour 150 (upon completion of project)?
 - h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially	<u>N/A</u>	_____	_____	_____
Ultimately	<u>N/A</u>	_____	_____	_____
 - i. Dimensions (in feet) of largest proposed structure 18.5 height 34 width; 101.5 length
 - j. Linear feet of frontage along a public thoroughfare project will occupy is? 1100 ft.
2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? 5,200 tons/cubic yards

3. Will disturbed areas be reclaimed? Yes No N/A
 - a. If yes, for what intended purpose is the site being reclaimed? Parking and Roadway Access
 - b. Will topsoil be stockpiled for reclamation? Yes No
 - c. Will upper subsoil be stockpiled for reclamation? Yes No
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? 0.16 acres
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project? Yes No
6. If single phase project: Anticipated period of construction 6 months, (including demolition)
7. If multi-phased:
 - a. Total number of phases anticipated N/A (number)
 - b. Anticipated date of commencement phase 1 _____ month _____ year (including demolition)
 - c. Approximate completion date of final phase _____ month _____ year.
 - d. Is phase 1 functionally dependent on subsequent phases? Yes No
8. Will blasting occur during construction? Yes No
9. Number of jobs generated: during construction 35; after project is complete 0
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities? Yes No If yes explain _____
12. Is surface liquid waste disposal involved? Yes No
 - a. If yes, indicate type of waste (sewage, industrial, etc.) and amount _____
 - b. Name of water body into which effluent will be discharged _____
13. Is subsurface liquid waste disposal involved? Yes No Type _____
14. Will surface area of an existing water body increase or decrease by proposal? Yes No
Explain _____
15. Is project or any portion of project located in a 100 year flood plain? Yes No
16. Will the project generate solid waste? Yes No
 - a. If yes, what is the amount per month _____ tons
 - b. If yes, will an existing solid waste facility be used? Yes No
 - c. If yes, give name _____; location _____
 - d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? Yes No
 - e. If Yes, explain _____
17. Will the project involve the disposal of solid waste? Yes No
 - a. If yes, what is the anticipated rate of disposal? _____ tons/month.
 - b. If yes, what is the anticipated site life? _____ years.
18. Will project use herbicides or pesticides. Yes No
19. Will project routinely produce odors (more than one hour per day?) Yes No
20. Will project produce operating noise exceeding the local ambient noise levels? Yes No
21. Will project result in an increase in energy use? Yes No If yes, indicate type(s) _____
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.
23. Total anticipated water usage per day N/A gallons/day.
24. Does project involve Local, State or Federal funding? Yes No
If yes, explain EPF Title 11 Funds - NYS Department of State

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>Funding</u>	<u>Sept. 2010</u>
City, Town, Village Planning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
City, County Health Department	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
Other Local Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
Other Regional Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<u>DOH, DEC, DOS</u>	<u>Apr. 2009</u>
Federal Agencies	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	_____	_____

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? Yes No
 If yes, indicate decision required:
 zoning amendment zoning variance special use permit subdivision site plan
 new/revision of master plan resource management plan other_____
2. What is the zoning classification(s) of the site? Commercial
3. What is the maximum potential development of the site if developed as permitted by the present zoning? N/A
4. What is the proposed zoning of the site? N/A
5. What is the maximum potential development of the site if developed as permitted by the zoning process? N/A
6. Is the proposed action consistent with the recommended uses in adopted local land use plans? Yes No
7. What are the predominate land use(s) and zoning classifications within a ¼ mile radius of proposed action?
Commercial, Residential and Industrial Land Use. Commercial and Industrial Zoning.
8. Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile? Yes No
9. If the proposed action is the subdivision of land, how many lots are proposed? N/A
 a. What is the minimum lot size proposed? _____
10. Will proposed action require any authorization(s) for the formation of sewer or water districts? Yes No
11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes No
 a. If yes, is existing capacity sufficient to handle projected demand? Yes No
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes No
 a. If yes, is the existing road network adequate to handle the additional traffic? Yes No

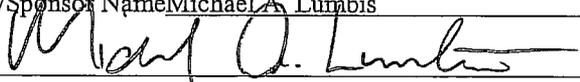
D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name Michael A. Lumbis Date 8/24/10

Signature  Title Planner

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

**PART 2 – PROJECT IMPACTS AND THEIR MAGNITUDE
RESPONSIBILITY OF LEAD AGENCY**

GENERAL INFORMATION (Read Carefully)

- In completing the form, the reviewer should be guided by the question: *Have my responses and determinations been reasonable?* The reviewer is not expected to be an expert environmental analyst.
- The examples provided are to assist the reviewer by showing types of impacts and, wherever possible, the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential large Impact response, thus requiring evaluation in Part 3.
- The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.
- The number of examples per question does not indicate the importance of each question.
- In identifying impacts, consider long term, short term and cumulative effects .

INSTRUCTIONS (Read Carefully)

- a. Answer each of the 20 questions in PART 2. Answer *Yes* if there will be *any* impact.
- b. *Maybe* answers should be considered as *Yes* answers.
- c. If answering *Yes* to a question, check the appropriate box (column 1 or 2) to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur, but threshold is lower than example, check column 1.
- d. Identifying that an impact will be potentially large (column 2) does not mean that it is also necessarily significant. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.
- e. If reviewer has doubt about size of the impact, then consider the impact as potentially large and proceed to PART 3.
- f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the *Yes* box in column 3. A *No* response indicates that such a reduction is not possible. This must be explained in Part 3.

1. Small to Moderate Impact	2. Potential Large Impact	3. Can Impact be Mitigated by Project Change
--------------------------------------	------------------------------------	---

IMPACT ON LAND			
1. Will the proposed action result in a physical change to the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction on land where the depth to the water tables is less than 3 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction of paved parking area for 1,000 or more vehicles.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction of land where the depth to the water table is less than 3 feet.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction that will continue for more than 1 year or involve more than one phase or stage.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction or expansion of a sanitary landfill.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.) <input type="checkbox"/> Yes <input type="checkbox"/> No			
■ Specific land forms:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
3. Will proposed action affect any water body designated as protected? (Under articles 15, 24, 25 of the Environmental Conservation Law, ECL) <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Developable area of site contains a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Dredging more than 100 cubic yards of material from channel of a protected stream.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Extension of utility distribution facilities through a protected water body.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction in a designated freshwater or tidal wetland.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
4. Will proposed action affect any non-protected existing or new body of water? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction of a body of water that exceeds 10 acres of surface area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
5. Will Proposed Action affect surface surface or groundwater quality or quantity? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action will require a discharge permit.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action requires use of a source of water that does not have approval to serve proposed (project) action.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction or operation causing contamination of a water supply system.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will adversely affect groundwater.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Liquid affluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action would use water in excess of 20,000 gallons per day.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action would likely cause siltration or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will require the storage of petroleum or chemical products greater than 1,100 gallons.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will allow residential uses in areas without water and/or sewer services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
6. Will proposed action alter drainage flow or patterns, or surface water runoff? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action would change flood water flows.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action may cause substantial erosion.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action is incompatible with existing drainage patterns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will allow development in a designated floodway.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:			
IMPACT ON AIR			
7. Will proposed action affect air quality? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action will induce 1,000 or more vehicle trips in any given hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will result in the incineration of more than 1 ton of refuse per hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will allow an increase in the amount of land committed to industrial use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will allow an increase in the density of industrial development within existing industrial areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
IMPACT ON PLANTS AND ANIMALS			
8. Proposed action affect any threatened or endangered species? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Reduction of one or more species listed on the New York or Federal list, using the site, over or near site, or found on the site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Removal of any portion of a critical or significant wildlife habitat.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
9. Will Proposed action substantially affect non-threatened or non-endangered species? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON AGRICULTURAL LAND RESOURCES			
10. Will the Proposed action affect agricultural land resources? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Construction activity would excavate or compact the soil profile of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action would irreversibly convert more than 10 acres of agricultural land or if located in an Agricultural District, more than 2.5 acres of agricultural land.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g., cause a farm field to drain poorly due to increased runoff).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:			
IMPACT ON AESTHETIC RESOURCES			
11. Will proposed action affect aesthetic resources? <input type="checkbox"/> Yes <input type="checkbox"/> No (if necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.) Examples that would apply to column 2:			
■ Proposed land uses, or project components obviously different from, or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed land uses or project components visible to users of aesthetic resources which will eliminate, or significantly reduce, their enjoyment of the aesthetic qualities of that resource.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed components that will result in the elimination, or significant screening, of scenic views known to be important to the area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES			
12. Will proposed action impact any site or structure of historic, pre-historic or paleontological importance? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:			
■ Proposed action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or national Register of historic places.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Any impact to an archaeological site or fossil bed located within the project site.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
-------------------------------------	-----------------------------------	--

IMPACT ON OPEN SPACE AND RECREATION		
13. Will proposed action affect the quantity of quality of existing or future open spaces or recreational opportunities? <input type="checkbox"/> Yes <input type="checkbox"/> No Examples that would apply to column 2:		
■ The permanent foreclosure of a future recreational opportunity.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ A major reduction of an open space important to the community.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON CRITICAL ENVIRONMENTAL AREAS		
14. Will proposed action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6 NYCRR 617.14(g)? <input type="checkbox"/> Yes <input type="checkbox"/> No. List the environmental characteristics that caused the designation of the CEA.:		
 Examples that would apply to column 2:		
■ Proposed action to locate within the CEA.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will result in a reduction in the quantity of the resource.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will result in a reduction in the quality of the resource.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will impact the use, function or enjoyment of the resource.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON TRANSPORTATION		
15. Will there be an affect to existing transportation systems? <input type="checkbox"/> Yes <input type="checkbox"/> No. Examples that would apply to column 2:		
■ Alteration of present patterns of movement of people and/or goods.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will result in major traffic problems.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON ENERGY		
16. Will proposed action affect the community's sources of fuel or energy supply? <input type="checkbox"/> Yes <input type="checkbox"/> No. Examples that would apply to column 2:		
■ Proposed action will cause a greater than 5% increase in the use of any form of energy in the municipality.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
NOISE AND ODOR IMPACTS		
17. Will there be objectionable odors, noise, or vibrations as a result of the Proposed Action? <input type="checkbox"/> Yes <input type="checkbox"/> No. Examples that would apply to column 2:		
■ Blasting within 1,500 feet of a hospital, school or other sensitive facility.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Odors will occur routinely (more than one hour per day).	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will produce operating noise exceeding the local ambient noise levels for noise outside of structures..	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will remove natural barriers that would act as a noise screen	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
IMPACT ON PUBLIC HEALTH		
18. Will Proposed action affect public health and safety? <input type="checkbox"/> Yes <input type="checkbox"/> No. Examples that would apply to column 2:		
■ Proposed action may cause a risk of explosion or release of hazardous substances (i.e., oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action may result in the burial of "hazardous wastes" in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Storage facilities for one million or more gallons of liquified natural gas or other flammable liquids.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact be Mitigated by Project Change
IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD			
19. Will Proposed action affect the character of the existing community? <input type="checkbox"/> Yes <input type="checkbox"/> No. Examples that would apply to column 2:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ The Proposed action will conflict with officially adopted plans or goals.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ The Proposed action will cause a change in the density of land use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ The Proposed action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Development will create a demand for additional community services (e.g., schools, police, fire, etc.).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will set an important precedent for future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Proposed action will create or eliminate employment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
■ Other impacts:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
20. Is there, or is there likely to be, public controversy related to potential adverse environmental impacts? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If any action in Part 2 is identified as a potential large impact, or if you cannot determine the magnitude of impact, proceed to Part 3.			

**PART 3 – EVALUATION OF THE IMPORTANCE OF IMPACTS
RESPONSIBILITY OF LEAD AGENCY**

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions:

Discuss the following for each impact identified in column 2 of Part 2:

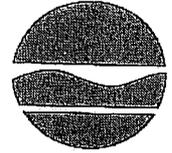
1. Briefly describe the impact.
2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).
3. Based on the information available, decide if it is reasonable to conclude that this impact is important.

To answer the question of importance, consider:

- The probability of the impact occurring
- The duration of the impact
- Its irreversibility, including permanently lost resources of value
- Whether the impact can or will be controlled
- The regional consequence of the impact
- Its potential divergence from local needs and goals
- Whether known objections to the project relate to this impact

(Continue on attachments)

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 6
Dulles State Office Building
317 Washington Street, Watertown, New York 13601-3787
Phone: (315) 785-2245 • Fax: (315) 785-2242
Website: www.dec.ny.gov



Alexander B. Grannis
Commissioner

September 2, 2010

Kenneth A Mix
Planning and Community Development Coordinator
Room 302, Municipal Bldg
245 Washington St
Watertown, NY 13601

RE: SEQR Lead Agency Request
Proposed Reconstruction of the JB Wise Parking Lot
City of Watertown, Jefferson Co, NY

Dear Mr. Mix:

On behalf of the New York State Department of Environmental Conservation (department), I am writing in response to your recent request for SEQR Lead Agency status for the proposed reconstruction of the JB Wise parking lot. Based on the direct impact of the project on the local community, the department concurs that the city is the appropriate entity to act as lead agency for this project. For your information, I am providing the department's areas of jurisdiction and concerns.

If the development of this site involves more than one acre of disturbance, in accordance with Environmental Conservation Law Article 17, Titles 7, 8; Article 70, a Stormwater Pollution Prevention Plan and coverage under the State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities would be required.

The department must approve the final engineering report, plans, and specifications for the sanitary sewer collection system. The department has issued said written approval for the current plan.

All construction projects have air related impacts. Typically, these focus on dusts and similar particulate releases. There are also secondary air impacts from vehicle, compressor, generator, and blasting activities. It remains the project sponsor's responsibility to evaluate project specific SEQR impacts.

The proposed project site is in an archeologically sensitive area. More information may be obtained from the New York State Office of Parks, Recreation and Historic Preservation, 518-237-8643.

If you have any further questions, please contact me.

Sincerely,



Jessica Hart
Environmental Analyst
jjhart@gw.dec.state.ny.us

cc: Ann Rice



**New York State Office of Parks,
Recreation and Historic Preservation**

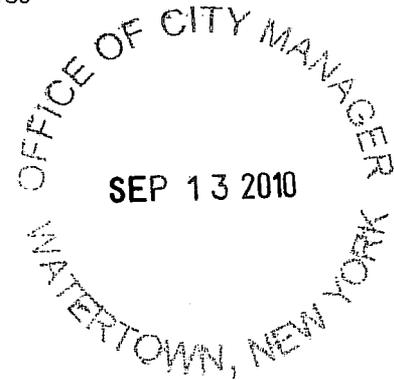
Historic Preservation Field Services Bureau • Peebles Island, PO Box 189, Waterford, New York 12188-0189
518-237-8643
www.nysparks.com

David A. Paterson
Governor

Carol Ash
Commissioner

September 08, 2010

Kenneth A. Mix
Planning & Comm. Development Coordinator
City of Watertown
Room 302 Municipal Building
245 Washington Street
Watertown, New York 13601-3380



Re: SEQRA
JB Wise Parking Lot Reconstruction
C/Watertown, Jefferson County
10PR05533

Dear Mr. Mix:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP) concerning your project's potential impact/effect upon historic and/or prehistoric cultural resources. Our staff has reviewed the documentation that you provided on your project and we provide the following comment in accordance with the State Environmental Quality Review Act (SEQRA).

The OPRHP has no objection to the City of Watertown assuming lead agency status for this review. It is the OPRHP opinion that the above action will have no significant impact on historic resources.

Please note, if any state or federal agencies are involved in this project, further review may be required in accordance with section 14.09 of the New York State Parks, Recreation and Historic Preservation Law or Section 106 of the National Historic Preservation Act of 1966.

If you have any questions regarding this review, please call me at (518) 237-8643, extension 3283 or email me at james.warren@oprhp.state.ny.us.

Sincerely,

James Warren
Historic Sites Restoration Coordinator

Lumbis, Michael A

From: Parsons, Renee (DOS) [Renee.Parsons@dos.state.ny.us]
Sent: Wednesday, September 15, 2010 9:41 AM
To: Mike Lumbis (mlumbis@watertown-ny.gov)
Subject: JB Wise SEQRA

Mike:

Thank you for the opportunity to review the EAF for the J.B. Wise Parking Lot Reconstruction Project.

As you know, this project received funds under Title 11 of the Environmental Protection Fund (Agreement #C006665 for design/ and #C006891 for construction), and one of the important tasks associated with the project is to "...prepare all documents necessary to comply with SEQRA through determination of significance."

The Department of State has no objection that the City of Watertown be the lead agency for the J.B. Wise Parking Lot Reconstruction Project.

Renee

Renee Parsons
Coastal Resources Specialist
NYS Department of State
One Commerce Plaza
99 Washington Avenue - Suite 1010
Albany, NY 12231-0001
ph (518) 473-2461; fax (518) 473-2464
<https://www.nyswaterfronts.com>



Think before you print

Res No. 26

September 15, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving the Site Plan for Construction of a 13,913 sq. ft. Enriched Living Facility and Five Two-Unit Dwellings Totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005

Brian J. Drake of GYMO, P.C. has made an application for Site Plan Approval on behalf of Purcell Construction Corp. for the project described above. This is the final site plan based upon the preliminary plan for the proposed changes to Planned Development District No. 16.

The Planning Board reviewed the request at its August 3 and September 7, 2010 meetings and adopted a motion recommending that the City Council approve the Site Plan with the contingencies listed in the resolution. Attached are copies of the reports prepared for the Planning Board and excerpts from its minutes.

The City Council must approve the Ordinance amending Planned Development District No. 16 before voting on this Site Plan Approval.

RESOLUTION

Page 1 of 3

Approving the Site Plan for the Construction of a 13,913 sq. ft. Enriched Living Facility and Five Two-Unit Dwellings Totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

WHEREAS Brian J. Drake of GYMO, P.C. has made an application for site plan approval on behalf of Purcell Construction Corp. for the construction of a 13,913 sq. ft. enriched living facility and five two-unit dwellings totally 19,192 sq. ft. in the 1200 block of Jewell Drive, Parcel Numbers 14-49-101 and 14-49-101.005, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan at its meetings held on August 3 and September 7, 2010, and recommended that the City Council of the City of Watertown approve the site plan, contingent upon the following:

1. The applicant must add one fire hydrant to the water main loop that surrounds the enriched living facility at or near the location where the new water line connects to the existing line on the south side of Maple Court Apartments or closer to the enriched living facility if the building has a sprinkler system.
2. The water line to Ives Street should be transferred to City ownership. The 20' water easement shown on the plan needs to be transferred to the City.
3. The applicant must work with the Water Department and Fire Department regarding the exact location of the fire hydrants along the proposed water main.
4. The applicant must provide a copy of all correspondence and submittals to the NYS DOH for the Water Supply Permit.
5. The applicant must provide a copy of all correspondence and submittals to the NYS DEC for the Sanitary Sewer Permit.
6. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.
7. The applicant must provide pre and post drainage calculations and drainage area maps.
8. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
9. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.
10. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).

RESOLUTION

Page 2 of 3

Approving the Site Plan for the Construction of a 13,913 sq. ft. Enriched Living Facility and Five Two-Unit Dwellings Totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

11. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit.
12. Construction entrances shall be maintained in accordance with approved SWPPP & the contractor shall provide appropriate traffic control measures (flaggers, signs, etc.) along Jewell Drive.
13. A detail for the curb wipedown must be provided.
14. Large maturing deciduous or coniferous trees spaced 40' on center should be provided along the north side of the enriched living facility near the driveway, along the west side of the Jewell Drive extension near the existing duplexes and both sides of the internal drive that services the proposed duplexes.
15. A sidewalk connection should be provided that links the sidewalk along the edge of the main parking area for the enriched living facility to the street sidewalk system on Jewell Drive.
16. The emergency access road to Ives Street must be designed to City specifications, approved by the City Engineer prior to construction and must be properly maintained on a year round basis to include daily snow removal and resurfacing and grading when required.
17. Additional details must be provided regarding the gates located on each end of the emergency access road.
18. The applicant must assemble parcel number 14-49-101.005, 14-49-101 and 14-49-101.101 into one parcel by way of a new metes and bounds description filed with the County Clerk.

And,

WHEREAS the City Council has issued a negative declaration for the project pursuant to the State Environmental Quality Review Act by resolution adopted September 20, 2010,

NOW THEREFORE BE IT RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally,

RESOLUTION

Page 3 of 3

Approving the Site Plan for the Construction of a 13,913 sq. ft. Enriched Living Facility and Five Two-Unit Dwellings Totaling 19,192 sq. ft. in the 1200 Block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Codes Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that site plan approval is hereby granted to Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. for the construction of a 13,913 sq. ft. enriched living facility and five two-unit dwellings totaling 19,192 sq. ft. in the 1200 block of Jewell Drive, Parcel Numbers 14-49-101 and 14-49-101.005, as shown on the site plan submitted to the City Engineer on August 24, 2010, contingent on the applicant making the revisions and meeting the conditions listed above in the Planning Board’s recommendation.

Seconded by



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Site Plan Approval – 1200 Block of Jewell Drive

DATE: September 2, 2010

Request: Site Plan Approval for the construction of a 13,913 square foot enriched living facility and five (5) two-unit dwellings totaling 19,192 square feet in the 1200 Block of Jewell Drive, Parcel Number 14-49-101 and 14-49-101.005.

Applicant: Brian J. Drake, Project Engineer of GYMO, P.C. on behalf of Purcell Construction Corp.

Proposed Use: Residential.

Property Owner: Ives Hill Retirement Community.

Submitted:

Property Survey: Yes

Preliminary Architectural Drawings: Yes

Site Plan: Yes

Preliminary Site Engineering Plans: Yes

Vehicle and Pedestrian Circulation Plan: Yes

Construction Time Schedule: Yes

Landscaping and Grading Plan: Yes

Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

Zoning Information:

District: Planned Development District # 16

Maximum Lot Coverage: 20% (10.4 % is proposed)

Setback Requirements: 25' from the district boundary, 20' between buildings

Buffer Zone Required: As recommended by the Planning Board & approved by City Council.

Project Overview: The proposed development consists of the construction of a 13,913 square foot, 18-unit enriched living facility (nursing home) and five (5) two-unit dwellings. Two of the two-unit dwellings are 3,683 square feet each while the other three are 3,942 square feet each for a total of 19,192 square feet. The duplex units will be similar to other units previously constructed across the main road near the Ives Hill Retirement Community building. The previous staff report identified many items that needed to be corrected on the site plan. Many of those items have been addressed and the applicant's letter addresses the issues that were raised. There are a few outstanding items that are addressed below.

Parking: The parking calculation for a nursing home (1 space for each 3 beds) was used for determining the number of parking spaces required for the enriched living facility. A total of 18 beds will be provided meaning that 6 parking spaces are required for the project. Originally, 13 spaces were proposed but the applicant has added 3 more for a total of 16. Each duplex has (2) one-stall garages and the space provided in each driveway area allows the parking of at least one additional vehicle for each side of the duplex. For the five structures, 20 spaces are provided which exceeds the parking requirement.

Grading, Drainage and Utilities: The Engineering and Water Departments have reviewed the revised plans and have the following comments:

1. The applicant must add one fire hydrant to the water main loop that surrounds the enriched living facility at or near the location where the new water line connects to the existing line on the south side of Maple Court Apartments or closer to the enriched living facility if the building has a sprinkler system.
2. The water line to Ives Street should be transferred to City ownership. The 20' water easement shown on the plan needs to be transferred to the City.
3. The applicant must work with the Water Department and Fire Department regarding the exact location of the fire hydrants along the proposed water main.
4. The applicant must provide a copy of all correspondence and submittals to the NYS DOH for the Water Supply Permit.
5. The applicant must provide a copy of all correspondence and submittals to the NYS DEC for the Sanitary Sewer Permit.
6. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.
7. The applicant must provide pre and post drainage calculations and drainage area maps.
8. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
9. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.
10. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).
11. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit.
12. A detail for the curb wipedown must be provided.

Lighting: The revised lighting plan for the nursing home includes 3 pole mounted light fixtures located along the internal drive. A site light has also been added near the entrance to the enriched

living facility. The exits at the facility will also be illuminated with wall packs installed near the exits. The lighting plan for the 5 two-unit dwellings consists of 4 pole mounted light fixtures located along the internal driveway along with 1 light pole along the extension of the main drive. For both portions of the development, the amount of light spillage onto neighboring properties has been kept under 0.5 foot-candles as required.

Landscaping: The landscaping plan has been revised to show some of the items requested by the Planning Board including deciduous and coniferous trees along a portion of both sides of the extension of Jewell Drive and a planting bed along the enriched living facility parking lot. Areas of the site that were not addressed include the north side of the enriched living facility along the driveway, the west side of the Jewell Drive extension near the existing duplexes and both sides of the internal drive that services the proposed duplexes. While the applicant refers to possible conflicts with utilities as a reason why additional trees were not added, consideration should be given to adjusting utility locations to make room for additional trees. For example, the water line along the east side of the duplex drive could be shifted 6'-8' closer to the edge of the drive to provide a corridor for trees. Similarly, the angle of the sanitary sewer clean outs could be changed to provide additional room. At a minimum, each duplex building should have one tree planted in front of each unit in the front area of the building.

Pedestrian Circulation: To address the pedestrian circulation issue, the applicant is now proposing new sidewalks along the private portion of Jewell Drive. This would extend the sidewalks approximately 650' from where they leave off at the edge of the congregate building property, past the private drive called Stone Circle, to the end of the proposed development. The applicant indicated at the Planning Board meeting that pedestrian circulation through the interior portions of the site will be along the minimally traveled driveways that serve the various one and two-unit houses. No sidewalks are proposed along the east side of Jewell Drive and the sidewalks shown along the edge of the main parking area for the enriched living facility do not connect into the street sidewalk system.

Emergency Access: The site plan for the enriched living facility has been revised to include a 20' wide paved driving lane around the entire building as requested by Codes and the Fire Department. Also included on the plans is a 20' wide gravel road for emergency access that extends from the end of the paved portion of Jewell Drive extension to Ives Street. The emergency access road must be designed to City specifications and be approved by the City Engineer prior to construction. In addition, the access road should be properly maintained on a year round basis to include daily snow removal and resurfacing and grading when required. Additional details must be provided regarding the gates located on each end of the emergency access road.

Other Comments: Final approval for this application will be given by the City Council after a recommendation from the Planning Board. Any proposed signage for the project will not be approved as part of the site plan submission. Any proposed signage will be handled as a separate matter through the Bureau of Code Enforcement.

The applicant is proposing to assemble parcel number 14-49-101.005, 14-49-101 and 14-49-101.101 into one parcel so that none of the buildings are constructed across property lines. Completing the assemblage should be a condition of approval.

Summary: The following lists several key issues that should be addressed:

1. The applicant must add one fire hydrant to the water main loop that surrounds the enriched living facility at or near the location where the new water line connects to the existing line on the south side of Maple Court Apartments or closer to the enriched living facility if the building has a sprinkler system.
2. The water line to Ives Street should be transferred to City ownership. The 20' water easement shown on the plan needs to be transferred to the City.
3. The applicant must work with the Water Department and Fire Department regarding the exact location of the fire hydrants along the proposed water main.
4. The applicant must provide a copy of all correspondence and submittals to the NYS DOH for the Water Supply Permit.
5. The applicant must provide a copy of all correspondence and submittals to the NYS DEC for the Sanitary Sewer Permit.
6. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.
7. The applicant must provide pre and post drainage calculations and drainage area maps.
8. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
9. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.
10. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).
11. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit.
12. Construction entrances shall be maintained in accordance with approved SWPPP & the contractor shall provide appropriate traffic control measures (flaggers, signs, etc.) along Jewell Drive.
13. A detail for the curb wipedown must be provided.
14. Large maturing deciduous or coniferous trees spaced 40' on center should be provided along the north side of the enriched living facility near the driveway, along the west side of the Jewell Drive extension near the existing duplexes and both sides of the internal drive that services the proposed duplexes.
15. A sidewalk connection should be provided that links the sidewalk along the edge of the main parking area for the enriched living facility to the street sidewalk system on Jewell Drive.
16. The emergency access road to Ives Street must be designed to City specifications, approved by the City Engineer prior to construction and must be properly maintained on a year round basis to include daily snow removal and resurfacing and grading when required.
17. Additional details must be provided regarding the gates located on each end of the emergency access road.
18. The applicant must assemble parcel number 14-49-101.005, 14-49-101 and 14-49-101.101 into one parcel by way of a new metes and bounds description filed with the County Clerk.

cc: Planning Board Members Justin Wood, Civil Engineer II
City Council Members Brian Drake, GYMO, P.C.
Robert J. Slye, City Attorney

Leo F. Gozalkowski, PLS
Stephen W. Yaussi, AIA
Edward G. Olley, Jr., AIA
William P. Plante, PLS
Patrick J. Scordo, PE
Thomas S.M. Compo, PE

Gregory F. Ashley, PLS

24 August 2010

Mr. Kenneth A. Mix
Planning and Community Development Coordinator
City Engineering Department
245 Washington Street
Watertown, NY 13601



Re: Zone Change Request, Site Plan Submission
Ives Hill Retirement Community-Phase III, Jewell Drive
File: 2010-077

Dear Mr. Mix:

At its August 3rd meeting, the Planning Board of the City of Watertown considered our request to amend Planned Development District #16 to allow two enriched living buildings along with five two-unit dwellings. At that same meeting, the Board considered our request for site plan approval for the construction of a 13,720 sq. ft. enriched living facility and five two-unit dwellings totaling 16,070 sq. ft. in the 1200 block of Jewell Drive, tax parcel numbers 14-49-101 and 14-49-101.005. We are submitting the following to address the planning board's comments and approval at the 20 September 2010 City Council Meeting.

- Four collated sets of full-size (24"X36") site plans;
- 11 sets of 11"X17" site plans;
- Four Engineering Reports;
- Four full size PDD Maps for zoning amendment;
- Suggested Legal Description of Assembled Parcel; and,
- Short EAF.

The following comment numbers correspond directly to your comments, contained in your correspondence dated July 28, 2010, with our responses in bold. The drawings have also been revised to reflect a change in square footage of the buildings. The Enriched Living Facility (13,913 sf), Type A dwellings (3,683 sf) and Type B dwellings (3,942 sf) have been updated to reflect a minor change in the floor plans.

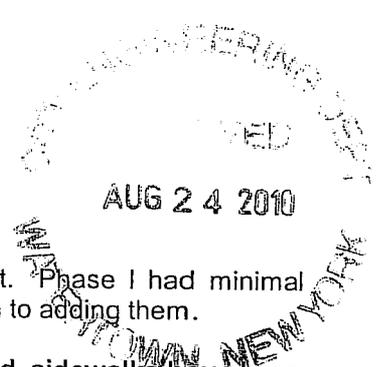
Zoning Change Comments:

- 1) The applicant should either add a preliminary plan for the multi-family housing or show the currently approved plan for the assisted living center. Whichever plan is shown, vehicle access from Ives Street will have to be on the plan. The access has been on every plan since 1970.

There are currently no plans for the development of the area in question in the foreseeable future. The owner wishes to remove the area previously labeled as multifamily housing, and currently approved for assisted living, from the Planned Development District. The owner understands that should the area be developed in the future, a zone change request will be necessary. Refer to Site Plan Sheets C101 and C102 for the vehicle access from Ives Street that is provided pursuant to the above request. The vehicle access to Ives Street will consist of a 20-foot wide gravel emergency only access road.

- 2) A waterline from Ives street will also be required. The fire flows in this area are marginal. Phase II construction was only allowed because we thought the assisted living center that was approved was going to be built right after it, which would have looped the water system.

The requested eight-inch water line to Ives Street is shown on Sheet C103 and C104. The new eight-inch water line will loop from Jewell Drive to Ives Street and will provide additional hydraulic capacity for Phases I-III as well as any future development that may take place at Ives Hill Retirement Community. Refer to the engineering report for hydraulic analysis of the new system.



- 3) Pedestrian Paths have been lacking in all phases of this development. Phase I had minimal sidewalks. Phase III continues that trend. Consideration should be given to adding them.

As discussed at that planning board meeting and requested by the board, sidewalks have been added along the private portion of Jewell Drive, connecting the City owned sidewalk to Stone Circle.

Site Plan Approval Comments:

- 1) The existing property lines are not shown correctly as Parcel Number 14-49-101.005 is not shown and the plans are missing several easements. The end of the Jewell Drive right-of-way should be depicted and the utility easements within the Phase I & II development should be depicted and labeled.

Please refer to updated Survey Sheets SU101, SU102, and SU103 showing existing property lines, easements and rights-of-way.

- 2) The applicant must provide a Boundary and Topographic Survey Map of the involved parcels. This map must be stamped and signed with an original seal and signature on at least one copy, the rest may be copies thereof.

Please refer to updated Survey Sheets SU101, SU102, and SU103 showing existing property lines, easements and rights-of-way, as well as topographic information.

- 3) Two of the proposed two unit dwellings are shown being constructed across a property line. The applicant will either have to shift the buildings or combine the two parcels to rectify the issue.

The applicant is proposing to assemble Parcels 14-49-101.005, 14-49-101 and 14-49-101.001. Refer to attached Suggested Legal Description for Parcel Description.

- 4) The applicant must depict land use, zoning, and tax parcel numbers on the site plan.

Refer to PDD1 for Zoning and land use. Tax parcel numbers are shown on both Survey and Site Plan sheets.

- 5) A detail for concrete sidewalks and asphalt pavement in City R.O.W. must be provided.

A detail for concrete sidewalks (3/C501) and asphalt pavement (2/C501) have been shown

- 6) A detail for Curb wipedown must be provided.

There are no curbs proposed so there is no need for a curb wipedown detail.

- 7) The Curb Cut Fee on sheet C001 should be revised to \$75.

Acknowledged. Refer to revised sheet C001.

- 8) The applicant should revise the line style of the parking lot for the future enriched living facility if no curbing is proposed.

Although the future building is shown for informational purposes only, refer to revised Sheet C101 for correct line style of the parking lot for the future enriched living facility.

- 9) An 8" main must be looped from the end of the private section of Jewell Drive at Stone Circle to the 8" main on Ives Street near the intersection with Barben Ave.

Refer to response to zone change Comment #2.

- 10) The applicant must provide a copy of all correspondence and submittals to NYS DOH for the Water Supply Permit and a curb stop detail must be added to the plans.

Acknowledged. The City will be copied on correspondence with NYS DOH. Refer to Detail 10, Sheet C502 for curb stop detail. Submission to the NYSDOH is anticipated once planning board approval is granted.

- 11) The applicant must provide a copy of all correspondence and submittals to NYS DEC for the Sanitary Sewer Permit.

Acknowledged. The City will be copied on correspondence with NYS DEC. Submission to the NYSDEC is anticipated once planning board approval is granted.

- 12) The applicant must provide profiles for the sanitary sewers and depict all utility crossings and add a sanitary cleanout detail to the plans.

Refer to Sheet C201 for the profiles of the sanitary sewers, which depict utility crossings. Refer to Detail 8, Sheet C501 for sanitary sewer cleanout detail.

- 13) A detail showing the connection to the City's sanitary sewer system must be added to the plans.

The applicant is proposing connecting at existing 8-inch sewer stub outs along Jewell Drive using a new manhole.

- 14) The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.

Acknowledged. A note is included on Sheet C001 informing the contractor of the requirement.

- 15) A detail showing the connection to the City's storm sewer system must be added to the plans.

Refer to Detail 9 on Sheet C502.

- 16) The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.

Acknowledged. A note is included on Sheet C001 informing the contractor of the requirement.

- 17) The applicant must provide pre and post drainage calculations and drainage area maps.

The Stormwater Pollution Prevention Plan (SWPPP) will contain the necessary drainage calculations and drainage area maps and will be forwarded to the City upon completion.

- 18) The applicant must provide final design, details and calculations for the proposed Stormwater Management Pond.

The SWPPP will contain the necessary designs, details and calculations and will be forwarded to the City upon completion.

- 19) The applicant must provide a stamped and signed copy of the Stormwater Pollution Prevention Plan (SWPPP).

The SWPPP will be stamped and signed by a NYS Professional Engineer and will be forwarded to the City upon completion.

- 20) Construction entrances shall be maintained in accordance with approved SWPPP and the contractor shall provide appropriate traffic control measures along Jewell Drive.

The SWPPP will contain information on construction entrances. Also, refer to Detail 2, Sheet C505 for typical offside sediment tracking control detail. Refer to general notes on Sheet C001 for Maintenance of Traffic notes.

- 21) The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit and a construction entrance detail must be provided.

The City will be copied on correspondence with the NYS DEC for stormwater discharge. Refer to Detail 2, Sheet C505 for typical offside sediment tracking control detail.

- 22) Additional information should be provided to show that the lighting levels around the entrance and exit areas will be adequate.

A site light has been added near the entrance to the Enriched Living Facility. Exits of the Enriched Living Facility will be lit by wallpacks installed near the exits. Refer to revised sheet C101 for photometrics.

- 23) Large Deciduous or coniferous trees spaced 40' on center should be provided along both sides on the enriched living facility internal drive, both sides of the internal drive that services the duplexes and along the extension of Jewell drive.

Large Deciduous or coniferous trees have been provided where feasible and no conflicts with utilities or site plan components exist. Refer to revised Sheets C101 and C102 for locations of trees and Sheet C001 for planting table.

- 24) A planting bed and/or landscaped berm should be considered in the area between the proposed parking lots and the street right-of-way.

Refer to revised Sheet C101 for the location of the planting bed provided along the parking lot for the enriched living facility.

- 25) Consideration should be given to adding sidewalks along the city street portion of Jewell Drive and the private extension of that street.

Refer to zone change Comment #3 response.

- 26) To meet emergency access requirements, the proposed gravel road behind the building will have to be upgraded to asphalt and the 15' gravel drive on the north side of the building will have to be widened to 20' and upgraded to asphalt.

Refer to revised Sheet C101 showing the upgraded emergency access requirements.

24 August 2010
Mr. Kenneth A. Mix
Page 5 of 5

27) An emergency access route, which is at least 20' wide and paved, from the end of Jewell Drive to Ives Street will also have to be provided.

Pursuant to the requests of the City Fire Department at the Planning Board Meeting on August 3, 2010, a 20' wide gravel emergency access road has been provided to Ives Street. Refer to revised Sheets C101-C104.

28) The number and locations of fire hydrants will have to approved by the fire Department.

Acknowledged. It is anticipated that the City Fire Department will review the site and utility plans as part of the Site Plan review process.

We trust these responses address the Planning Board's concerns. If you have questions, please contact me at your earliest convenience.

Sincerely,
GYMO Architecture, Engineering & Land Surveying, P.C.



Brian J. Drake, I.E.
Project Engineer

Attachments

PC: P.J. Scordo, P.E. S. Yaussi, A.I.A.- GYMO, PC
Tina Schneider, Purcell Construction Corp. - w/encl.
Rick Gefell, Purcell Construction Corp.

Project Overview: The proposed development consists of the construction of a 13,720 square foot, 18 unit enriched living facility (nursing home) and (5) two-unit dwellings. Two of the two-unit dwellings are 2,980 square feet each while the other three are 3,370 square feet each for a total of 16,070 square feet. The duplex units will be similar to other units previously constructed across the main road near the Ives Hill Retirement Community building.

General Comments: The existing property lines are not shown correctly as Parcel Number 14-49-101.005 is not shown and the plans are missing several easements. The end of the Jewell Drive right-of-way should be depicted and the utility easements within the Phase I & II development should be depicted and labeled. The applicant must provide a Boundary and Topographic Survey Map of the involved parcels. This map must be stamped and signed with an original seal and signature on at least one copy, the rest may be copies thereof.

Two of the proposed two unit dwellings are shown being constructed across a property line. The applicant will either have to shift the buildings or combine the two parcels (14-49-101.005 and 14-49-101) to rectify this issue.

The applicant must depict land use, zoning, and tax parcel numbers on the Site Plan.

A detail for concrete sidewalks and asphalt pavement in City R.O.W. must be provided. A detail for Curb Wipedown must be provided. The Curb Cut Fee on sheet C001 should be revised to \$75.

Parking: The parking calculation for a nursing home (1 space for each 3 beds) was used for determining the number of parking spaces required for the enriched living facility. A total of 18 beds will be provided meaning that 6 parking spaces are required for the project. 13 spaces are proposed. This does not provide much parking for staff and visitors and parking will not be permitted in the drive lanes, which also serve as fire lanes.

The parking calculation for the duplexes is based on the zoning ordinance requirement of one parking for each dwelling unit to be constructed. Additionally, visitor parking is required at the rate of 10% of the total number of dwelling units. Each duplex has (2) one-stall garages and the space provided in each driveway area allows the parking of at least one additional vehicle for each side of the duplex. For the five structures, 20 spaces are provided which exceeds the requirement.

The future enriched living facility site depicts curbing around the parking lot, however, no curbing is proposed for this site. The applicant should revise the line style of the future parking lot if no curbing is proposed.

Grading, Drainage and Utilities: The Engineering and Water Departments have provided the following comments relative to these items:

Water

1. An 8" main must be looped from the end of the private section of Jewell Drive at Stone Circle to the 8" main on Ives Street near the intersection with Barben Ave.
2. The applicant must provide a copy of all correspondence and submittals to the NYS DOH for the Water Supply Permit.
3. A curb stop detail must be added to the plans.

Sanitary

1. The applicant must provide a copy of all correspondence and submittals to the NYS DEC for the Sanitary Sewer Permit.

2. The applicant must provide profiles for the proposed sanitary sewers and depict all utility crossings.
3. A sanitary cleanout detail must be added to the plans.
4. A detail showing the connection to the City's sanitary sewer system must be added to the plans.
5. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.

Drainage & Grading

1. The applicant must provide pre and post drainage calculations and drainage area maps.
2. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
3. A detail showing the connection to the City's storm sewer system must be added to the plans.
4. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.

Erosion and Sediment Control

1. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).
2. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit.
3. Construction entrances shall be maintained in accordance with approved SWPPP & the contractor shall provide appropriate traffic control measures (flaggers, signs, etc.) along Jewell Drive.
4. A construction entrance detail must be provided.

Lighting: The proposed lighting plan for the nursing home includes 3 pole mounted light fixtures located along the internal drive. The photometric data provided shows that the lighting level in the parking area ranges from 0.5 to more than 2.5 foot-candles. The internal driveway has similar levels. Although it is not shown, it is assumed that there will be building mounted light fixtures on various parts of the buildings which will raise lighting levels around entrance and exit areas. Around the main entrance the lighting levels are only around 0.1 to 0.2 foot-candles.

The proposed lighting plan for the 5 two-unit dwellings consists of 4 pole mounted light fixtures located along the internal driveway along with 1 light pole along the extension of the main drive. For both portions of the development, the amount of light spillage onto neighboring properties has been kept under 0.5 foot-candles as required.

Landscaping: The proposed landscaping plan consists primarily of large maturing deciduous and coniferous trees scattered throughout the sites. The enriched living facility plan contains trees along Jewell Drive, along the internal drive and around the dumpster enclosure. The duplex plan shows trees primarily in the rear of the buildings, although a few are shown along the internal driveway.

In a Planned Development District landscaping is required at the discretion of the Planning Board and City Council. While the Planning Board's Landscaping and Buffer Zone Guidelines do not specifically address PDD's, there are a number of different landscaping options in the guidelines that are applicable.

The Guidelines recommend that a 15' wide landscaped strip be provided adjacent to all public and private rights-of-ways and streets. Grass areas more than 15' wide have been provided in these

areas and as is noted above, there are a few trees along the various drives but they are not consistently shown throughout the site. Large deciduous or coniferous trees spaced 40' on center should be provided along both sides of the enriched living facility internal drive, both sides of the internal drive that services the duplexes and along the extension of Jewell Drive. It is not necessary at this time to plant along Jewell Drive in the area of the future enriched living facility.

Where parking lots about the landscaped strip along the street right-of-way, as is the case with the enriched living facility parking lot, the guidelines recommend planting beds for screening in addition to the shade trees. A landscaped berm may also be utilized to screen the parking lot.

Pedestrian Circulation: There are no sidewalks proposed along the east side of Jewell Drive, along the private extension of Jewell Drive or along the drive that services the duplex buildings. There are sidewalks shown along the edge of the main parking area for the enriched living facility but they just serve the facility and do not connect into a larger sidewalk system. Consideration should be given to adding sidewalks along the city street portion of Jewell Drive and the private extension of that street.

Emergency Access: The site plan for the enriched living facility shows a paved driving lane from Jewell Drive to the rear of the building near the loading area. After the loading area, the drive turns into a gravel road that is labeled for emergency access only. This gravel road then connects into an existing 15' gravel road that connects Kieff Drive with Jewell Drive. In order to provide adequate emergency access around the perimeter of the site, the Bureau of Code Enforcement will be requiring that a paved drive at least 20' wide be provided around the perimeter of the building. The proposed gravel road behind the building will have to be upgraded to asphalt and the 15' gravel drive on the north side of the building will have to be both widened to 20' and upgraded to asphalt.

An emergency access route, which is at least 20' wide and paved, from the end of Jewell Drive to Ives Street will also have to be provided.

The number and locations of fire hydrants will have to be approved by the Fire Department.

Other Comments: Final approval for this application will be given by the City Council after a recommendation from the Planning Board. Any proposed signage for the project will not be approved as part of the site plan submission. Any proposed signage will be handled as a separate matter through the Bureau of Code Enforcement.

Summary: The following lists several key issues that should be addressed:

1. The plans should be revised to show the correct location of the existing property lines, the utility easements within the Phase I and II developments and the end of the Jewell Drive right-of-way.
2. The applicant must provide a stamped and signed boundary and topographic survey map of the involved parcels.
3. The applicant will either have to shift the location of the duplex buildings or combine the two parcels in question to avoid building across a property line.
4. The applicant must depict land use, zoning, and tax parcel numbers on the site plan.
5. A detail for concrete sidewalks and asphalt pavement in City R.O.W. must be provided.
6. A detail for curb wipedown must be provided.
7. The curb cut fee on sheet C001 should be revised to \$75.

8. The applicant should revise the line style of the parking lot for the future enriched living facility if no curbing is proposed.
9. An 8" main must be looped from the end of the private section of Jewell Drive at Stone Circle to the 8" main on Ives Street near the intersection with Barben Ave.
10. The applicant must provide a copy of all correspondence and submittals to NYS DOH for the Water Supply Permit and a curb stop detail must be added to the plans.
11. The applicant must provide a copy of all correspondence and submittals to NYS DEC for the Sanitary Sewer Permit.
12. The applicant must provide profiles for the proposed sanitary sewers and depict all utility crossings and add a sanitary cleanout detail to the plans.
13. A detail showing the connection to the City's sanitary sewer system must be added to the plans.
14. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.
15. A detail showing the connection to the City's storm sewer system must be added to the plans.
16. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.
17. The applicant must provide pre and post drainage calculations and drainage area maps.
18. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
19. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).
20. Construction entrances shall be maintained in accordance with approved SWPPP & the contractor shall provide appropriate traffic control measures (flaggers, signs, etc.) along Jewell Drive.
21. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit and a construction entrance detail must be provided.
22. Additional information should be provided to show that the lighting levels around the entrance and exit areas will be adequate.
23. Large deciduous or coniferous trees spaced 40' on center should be provided along both sides of the enriched living facility internal drive, both sides of the internal drive that services the duplexes and along the extension of Jewell Drive.
24. A planting bed and/or landscaped berm should be considered in the area between the proposed parking lots and the street right-of-way.
25. Consideration should be given to adding sidewalks along the city street portion of Jewell Drive and the private extension of that street.
26. To meet emergency access requirements, the proposed gravel road behind the building will have to be upgraded to asphalt and the 15' gravel drive on the north side of the building will have to be widened to 20' and upgraded to asphalt.
27. An emergency access route, which is at least 20' wide and paved, from the end of Jewell Drive to Ives Street will also have to be provided.
28. The number and locations of fire hydrants will have to be approved by the Fire Department.

cc: Planning Board Members Justin Wood, Civil Engineer II
City Council Members Brian Drake, GYMO, P.C.
Robert J. Slye, City Attorney

**Excerpt From
Planning Board's
9/7/10 Meeting Minutes**

**SITE PLAN APPROVAL – 1200 BLOCK OF JEWELL DRIVE,
PARCEL NOS. 14-49-101 AND 14-49-101.005**

The Planning Board then considered a request for Site Plan Approval submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. for the construction of a 13,913 square foot enriched living facility and five two-unit dwellings totaling 19,192 square foot in the 1200 block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005. In attendance to represent the request were Brian Drake and Patrick Scordo of GYMO, P.C., and Mark Purcell, Rick Gefell and Christina Schneider of Purcell Construction Corp.

Mr. Drake began with a discussion of the site plan by providing an overview of some of the major changes that have been made at the request of City staff and the Planning Board. He noted that a gravel access road for emergencies has been provided from the site out to Ives Street. He also noted that an 8" ductile iron water line will be installed as part of the project to loop the water line serving the buildings in the Jewell Drive area to Ives Street. He said that they have now added an asphalt drive around the entire enriched living facility, and that they are proposing to assemble the various parcels into one. He also noted that additional landscaping had been provided.

Mrs. Gervera then asked Mr. Drake to review the summary items listed in the Planning Office memo. Mr. Drake then addressed each item. He began by stating that adding an additional fire hydrant to the water main loop would not be a problem. A discussion between Mr. Drake and Dale Herman, Fire Chief, then followed regarding the location of the fire hydrant. Mr. Scordo noted that they would submit a plan to the Fire Department for review and approval of the proposed locations. Mr. Mix noted that the Water Department would like the main water line that will connect Jewell Drive and Ives Street dedicated to the City rather than maintained in private ownership. He said that there is a water easement shown on the plan that would need to be transferred to the City as part of the project. Mr. Drake stated that transferring the easement would not be an issue.

Mr. Drake noted that several of the summary items were requirements that the City be copied on correspondence and submittals to the NYS Department of Health and Department of Environmental Conservation. He said copies of all those submittals and correspondence will be provided to the City. Mr. Drake then addressed Item No. 14 which was in reference to providing additional trees spaced 40' on center along the north side of the enriched living facility near the driveway, along the west side of the Jewell Drive extension near the existing duplexes and both sides of the internal drive that services the proposed duplexes. Mr. Drake stated that providing those additional trees would not be a problem.

Addressing Item No. 15, Mr. Drake noted that a sidewalk will be provided from the enriched living facility parking area connecting to the street sidewalk system on Jewell Drive. Addressing Items Nos. 16 and 17 regarding the emergency access road, Mr. Drake asked

what would be needed to design the road to City specifications. Mr. Mix noted that the issue is that the road needs to be designed in order to hold and accommodate Fire Department apparatus in the event of an emergency. In addition, provisions have to be made to ensure that it is accessible on a year round basis. A discussion followed regarding the type of gate to be used that will limit access along the emergency access road. Mr. Purcell suggested a simple chain with a sign be installed that could easily be opened for access and would also be less obtrusive.

Mrs. Gervera commented that it seemed like all of the 18 items listed in the summary were workable. Mr. Drake responded that they would be able to address those items.

Hearing no further discussion, Mrs. Freda then moved to recommend Site Plan Approval for the request submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. for the construction of a 13,913 square foot enriched living facility and five two-unit dwellings totaling 19,192 square feet in the 1200 block of Jewell Drive, Parcel Nos. 14-49-101 and 14-49-101.005 contingent upon the following:

1. The applicant must add one fire hydrant to the water main loop that surrounds the enriched living facility at or near the location where the new water line connects to the existing line on the south side of Maple Court Apartments or closer to the enriched living facility if the building has a sprinkler system.
2. The water line to Ives Street should be transferred to City ownership. The 20' water easement shown on the plan needs to be transferred to the City.
3. The applicant must work with the Water Department and Fire Department regarding the exact location of the fire hydrants along the proposed water main.
4. The applicant must provide a copy of all correspondence and submittals to the NYS DOH for the Water Supply Permit.
5. The applicant must provide a copy of all correspondence and submittals to the NYS DEC for the Sanitary Sewer Permit.
6. The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.
7. The applicant must provide pre and post drainage calculations and drainage area maps.
8. The applicant must provide the final design, details, and calculations for the proposed Stormwater Management Pond.
9. The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.
10. The applicant must provide a stamped and signed copy of the Stormwater Pollution and Prevention Plan (SWPPP).
11. The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit.
12. Construction entrances shall be maintained in accordance with approved SWPPP & the contractor shall provide appropriate traffic control measures (flaggers, signs, etc.) along Jewell Drive.
13. A detail for the curb wipedown must be provided.
14. Large maturing deciduous or coniferous trees spaced 40' on center should be provided along the north side of the enriched living facility near the driveway, along the west side

of the Jewell Drive extension near the existing duplexes and both sides of the internal drive that services the proposed duplexes.

15. A sidewalk connection should be provided that links the sidewalk along the edge of the main parking area for the enriched living facility to the street sidewalk system on Jewell Drive.
16. The emergency access road to Ives Street must be designed to City specifications, approved by the City Engineer prior to construction and must be properly maintained on a year round basis to include daily snow removal and resurfacing and grading when required.
17. Additional details must be provided regarding the gates located on each end of the emergency access road.
18. The applicant must assemble parcel number 14-49-101.005, 14-49-101 and 14-49-101.101 into one parcel by way of a new metes and bounds description filed with the County Clerk.

The motion was seconded by Mr. Fipps and all voted in favor.

**Excerpt From
Planning Board's
8/3/10 Meeting Minutes**

**ZONE CHANGE AND SITE PLAN APPROVAL
1200 BLOCK OF JEWELL DRIVE,
PARCEL NOS. 14-49-101, 14-49-101.005 AND 14-49-101.101**

The Planning Board then considered a Zone Change Request submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to amend Planned Development District #16 to allow two enriched living buildings, five (5) two-unit dwellings and multi-family housing on Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101. They also discussed a Site Plan Approval Request also submitted by Mr. Drake for the construction of a 13,720 square foot enriched housing facility and give (5) two-unit dwellings totaling 16,070 square feet in the 1200 block of Jewell Drive.

In attendance to represent the Zone Change and Site Plan Approval Request were Patrick Scordo, Brian Drake and Stephen Yaussi of GYMO, P.C. There were also several Board members from Ives Hill Retirement Community in attendance including Martha Boshart, Kate Couch and Jayne Graves.

Mr. Drake began by providing the Planning Board with an overview of the proposals. He said that they are proposing a 13,720 square foot enriched living facility and 5 duplex buildings that would account for 10 additional units. He said that the allowed use on the subject parcels in the Planned Development District (PDD) is currently multi-family which is fine for the duplex units, but that the enriched living facility is different enough to require a zone change. He said they are proposing two different types of duplexes and 24' wide interior roadways for the site. Mr. Drake said that two of the major issues that have risen since the submission of the plans are the looping of the water line and an access road to Ives Street.

He said that representatives from GYMO, Purcell Construction and City Staff met Monday, August 2, 2010, to discuss some of the major issues and the owners now recognize the importance of looping the water line and constructing the access road to Ives Street. He said that the plans would be modified to include those items. He also said that they are proposing to eliminate Phase 4 from the PDD site plan, and they are not currently planning any use other than open space for the remaining portion of the parcel.

Mr. Wayte then asked Captain Todd DeMar of the Fire Prevention Bureau to address the Board regarding fire prevention and emergency access issues. Captain DeMar stated that he was happy to hear that additional access will be provided to the overall development from Ives Street, noting it would be key in the event of an emergency. He said that he is concerned about the proposed gravel road behind the enriched living facility and wonders if it would be properly maintained. He noted that as part of Phase I of the project, a gravel access road for emergencies was provided that links the end of Kieff Drive to Jewell Drive, but that road is not very well maintained. Mr. Scordo said that the owners were hoping to leave the road as a gravel road to avoid the expense of having to pave it. He said that it was his understanding that Code

Enforcement's main concern is that the rear of the building be accessible and that they have provided a 20' wide gravel road to accommodate fire trucks and other emergency vehicles. Captain DeMar said that they really need a hard base around the enriched living facility for several reasons. He said with a paved roadway there is a higher chance that it will be maintained. He also noted that the outriggers for their largest vehicles hold a tremendous amount of weight during operation and a gravel surface might not be sturdy enough to support it. He said that the maintenance track record of the existing access road is not very good and that it is overgrown and has been blocked with dirt piles in the past and does not get plowed in the winter. A general discussion then followed regarding the access road around the new facility. Mr. Scordo noted that as a result of yesterday's meeting with City Staff and today's meeting with the Planning Board, they hope to try to develop some alternatives that will be suitable and acceptable to the City for some of these issues. He said that they plan to come back to the next meeting to discuss them further.

Mr. Wayte said that he has a concern about providing access around the enriched living facility as well and cited a serious fire down state in a similar type of facility. He said that perhaps a different approach to the site layout in that particular case could have saved lives.

Mrs. Freda noted that there were two access issues that have been raised. She said that one is providing the paved surface around the enriched living facility and the other is providing access out to Ives Street. Mrs. Freda asked if it is their desire to have both paved. Captain DeMar said that it is important to the Fire Department to have the enriched living facility road paved but that the remainder of the access drive to Kieff Drive and the one proposed to extend to Ives Street did not need to be paved as they would not be setting up equipment in those areas. He said that a gravel drive with a gate would be sufficient, provided that it is properly maintained.

Mrs. Schneider said that they have discussed several different alternatives on how to provide emergency access to the site. She noted that the site has a lot of rock which may factor into the cost of building the water line and roadways. She said that during the next couple of weeks, they would be evaluating the costs of some of the different options and presenting an alternative to the Planning Board. She noted that there could be a possible option to connect to the IHC parking lot to provide a secondary access. Mr. Wayte noted that he would hate to see something happen in the event of an emergency. Mrs. Schneider addressed the current maintenance efforts along the gravel access drive that links Kieff Drive and Jewell Drive. She reported that she had a meeting with the Ives staff to encourage them to better maintain the gravel access drive. She noted that during approval meetings and the design of the original facility the gravel access was considered important, but after the building was constructed and finally occupied, that the maintenance of the road was lost in the shuffle. She said that there is now an action plan in place to maintain that gravel road from Kieff Drive to Jewell Drive. Captain DeMar said that the second road proposed from the end of Jewell Drive out to Ives Street would be a huge improvement, as is the proposed looped water supply. He said that the water supply is marginal now and improving it will increase the flows in that area.

Mrs. Freda then asked about sidewalks and where people currently walk around the area. Mrs. Schneider said that many of the people walk along the interior driveways as those

driveways have very low traffic and basically only serve the duplex units. Mrs. Freda asked if anything new was proposed on Jewell Drive as a result of the issue raised in the staff reports. Mr. Drake responded that nothing new was proposed and that they hope to leave the sidewalks "as is." He said that there is a sidewalk proposed from the enriched living facility parking lot to the building. Mr. Mix noted that during the meeting held yesterday, Mark Purcell said that additional sidewalks along the Jewell Drive extension would not be a problem. Mr. Scordo noted that yes, along the Jewell Drive extension sidewalks would be okay, but that they plan to use the interior drives for pedestrian traffic in and around the duplexes. Mr. Scordo noted that they would address this issue, along with the other items listed in the report, and submit revised plans to the City.

Mrs. Gervera asked the applicant how enriched living is different from the services currently provided at their existing building. Mrs. Schneider said that the existing building is all independent living and that the staff is there to provide one meal, some limited transportation services and light housekeeping. She said that it is residential living with some support services. She said it is not licensed by the State. She said the new enriched living facility would be licensed by the State and would provide tenants with three meals per day, 24 hour care and would have nurses on site.

Jayne Graves, who is on the Ives Hill Retirement Community Board of Directors, then addressed the Planning Board. She said the enriched living facility is a major breakthrough for Jefferson County and is a very much needed service in this area. Mr. Wayte also commented on the need for this type of facility.

Mrs. Freda asked what the original density for the Planned Development District was and how that compared with the proposed development. Mr. Mix noted that he did not research that in particular, but that it did not really matter anyway in that the Planning Board can set a new density with the revised PDD plan. Mr. Mix noted that the original Planned Development District was created in 1970 and that it was a huge multi-family and townhouse development that covered a larger area. Mr. Mix then described the history of the Planned Development District and the various uses that have been proposed and constructed throughout the years.

A discussion then followed regarding the timelines for approval. In an effort to help expedite the approval and keep the project on track for a fall construction start date, Mr. Mix noted that the City Council could set the public hearing for the zone change on September 7, 2010, for their meeting to be held on September 20, 2010. He said that would allow for the Planning Board to reconsider the revised PDD plan and the revised site plan for the enriched living facilities and duplexes at their September meeting. He said that final approval could be given by the City Council on September 20, 2010.

Mrs. Gervera then said that the owner of the property that fronts Ives Street at the intersection of Barben Avenue was in attendance. Dr. Shahandeh Haghir of 1250 Ives Street then addressed the Planning Board. Dr. Haghir asked what the multi-family designation in the plan actually would entail. She wondered if they were large multi-story buildings or smaller one

and two story buildings. She also asked what type of road was proposed to be constructed out to Ives Street. She noted that this road would be built right along her property line.

Mr. Drake responded that the multi-family designation on the plan was being removed and that they were only proposing open space for that portion of the property. Mrs. Schneider said that the road proposed out to Ives Street would be a gravel road to be used for emergency access only. She said that it would be gated and also added that they were looking at other alternatives to provide emergency access to the site rather than constructing this road. Dr. Haghir asked if there would be access to the site during construction along that roadway. Mrs. Schneider said that she was not entirely sure but that there may be a temporary construction entrance from Ives Street.

Mr. Wayte then asked about the timeframe for the proposed project. Mrs. Schneider said that she hoped to be under construction with the duplexes by this fall. She said that the enriched living facility is a longer timeframe with all the necessary approvals and that, more than likely, a spring construction start date would be what they would plan on. She said that the construction timeframe is six months from start to finish. Mrs. Gervera asked if the duplexes already had a waiting list. Mrs. Schneider responded that they do.

Since the applicant agreed to address the various issues raised in the staff report and during the meeting and then come back to the next Planning Board Meeting, Mrs. Gervera moved to table the Zone Change Request and Site Plan Approval Request until the September 7, 2010 meeting. The motion was seconded by Mrs. Freda and all voted in favor.

Ord No. 1

September 15, 2010

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Bond Ordinance – Dosing Station Rehabilitation

Included in tonight's agenda is a resolution to accept the bid submitted by Acts II Construction Inc. for the dosing station dam rehabilitation project in the amount of \$ 330,450. Phase I of the project was included in the Fiscal Year 2010-11 Capital Budget at an estimated cost of \$220,000 and Phase II of the project was included in Fiscal Year 2011-12 of the five year capital plan in the amount of \$190,000. Another resolution included in tonight's agenda would re-adopt the capital budget to move phase II of the project into Fiscal Year 2010-11 in order to accept the bid submitted by Acts II Construction Inc. with Alternate A.

If both resolutions were adopted then City Council should also consider the following bond ordinance to fund the current estimated cost of both phases of the project.

Acts II Construction Inc.	\$ 330,450
Estimated bonding costs (approx. 1%)	<u>4,550</u>
Bond Ordinance	\$ 335,000

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Page 1 of 6

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

At a regular meeting of the Council of the City of Watertown, Jefferson County, New York, held at the Municipal Building, in Watertown, New York, in said City, on September 20, 2010, at 7:00 o'clock P.M., Prevailing Time.

The meeting was called to order by _____, and upon roll being called, the following were

PRESENT:

ABSENT:

The following ordinance was offered by Councilman _____, who moved its adoption, seconded by Councilman _____, to wit:

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 purposes; NOW, THEREFORE,

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

Section 1. To pay the cost of the dosing station dam rehabilitation, in and for the City of Watertown, Jefferson County, New York, and incidental expenses in connection therewith, a specific object or purpose, there are hereby authorized to be issued \$335,000 bonds of said City pursuant to the provisions of the Local Finance Law.

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Page 2 of 6

Total

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid specific object or purpose is \$335,000 and that the plan for the financing thereof is by the issuance of the \$335,000 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 specific object or purpose is ten years, pursuant to subdivision three 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. To the extent such appropriation is not made from other sources, there shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable, as shall be established in proceedings under Section 93 of the City Charter.

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 he shall deem best for the interests of the City; provided, however, that in the exercise of these delegated powers, he

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Page 3 of 6

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

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. 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 9. 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 10. 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

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

(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 11. This ordinance, which takes effect immediately, shall be published in full in 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.

Unanimous consent moved by Councilman _____, seconded by Councilman _____, with all voting "AYE".

The question of the adoption of the foregoing ordinance was duly put to a vote on roll call, which resulted as follows:

_____ VOTING _____
 _____ VOTING _____
 _____ VOTING _____
 _____ VOTING _____
 _____ VOTING _____

The ordinance was thereupon declared duly adopted.

* * *

APPROVED BY THE MAYOR

_____, 2010.

Mayor

STATE OF NEW YORK)

) ss.:

COUNTY OF JEFFERSON)

I, the undersigned Clerk of the City of Watertown, Jefferson County, New York, DO HEREBY CERTIFY:

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Page 5 of 6

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

That I have compared the annexed extract of the minutes of the meeting of the Council of said City, including the ordinance contained therein, held on September 20, 2010, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Council had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, I duly caused a public notice of the time and place of said meeting to be given to the following newspapers and/or other news media as follows:

Newspaper and/or Other News Media Date Given

Regular meeting of the City Council held in accordance with Section 14-1 of the Municipal Code

I FURTHER CERTIFY that PRIOR to the time of said meeting, I duly caused public notice of the time and place of said meeting to be conspicuously posted in the following designated public location(s) on the following dates:

Designated Location(s) of Posted Noticed Date of Posting

Regular meeting of the City Council held in accordance with Section 14-1 of the Municipal Code

ORDINANCE

An Ordinance Authorizing the Issuance of \$335,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Dosing Station Dam Rehabilitation, in and for Said City

Page 6 of 6

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.

YEA	NAY

Total

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City on September _____, 2010.

 City Clerk
 (CORPORATE SEAL)

Seconded by

Ord. No. 2

September 15, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving the Zone Change Request Submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern, on behalf of Route 57 Development to Change the Approved Zoning Classification of the Rear Portion of 420 State Street, Parcel No. 12-03-220, From Residence C to Commercial

A request has been submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern on behalf of Route 57 Development to change the zoning classification of the rear portion of 420 State Street from Residence C to Commercial.

The Planning Board reviewed the request at its September 7, 2010 meeting and adopted a motion recommending that the City Council approve the zone change. Attached is a report on the Zone Change Request prepared for the Planning Board and an excerpt from its minutes.

The City Council must hold a public hearing on the Ordinance before it may vote on it. It is recommended that the public hearing be scheduled for 7:30 p.m. on Monday, October 4, 2010. A SEQRA resolution will be presented for City Council consideration at that meeting.

ORDINANCE

Page 1 of 2

Approving the Zone Change Request Submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern on Behalf of Route 57 Development to Change the Approved Zoning Classification of the Rear Portion of 420 State Street, Parcel No. 12-03-220 from Residence C to Commercial

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.
Total

YEA	NAY

Introduced by

BE IT ORDAINED where Daren L. Morgan, P.L.S. of LaFave, White & McGivern, L.S., P.C., on behalf of Route 57 Development LLC, has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to change the approved zoning classification of the rear portion of Parcel Number 12-03-220 located at 420 State Street from Residence C to Commercial, and

WHEREAS the area of the proposed zone change is more specifically described as follows:

All that parcel of land located in the City of Watertown, County of Jefferson and State of New York, bounded and described as follows:

Beginning at the southwest corner of the parcel described here in, a point in the southwest line of lands conveyed from Dealmaker Dodge, LLC to Route 57 Development by Instrument 2009-00001930 dated December 12, 2008 and recorded in the Jefferson County Clerk's Office February 10, 2009, said point further being S 33 degrees 43 minutes 00 seconds W, 208.56 feet and S 57 degrees 05 minutes 02 seconds E, 100.01 feet from the intersection of the southeast margin of Parker Street with the southwest margin of State Street and runs thence from the point of beginning, through the aforementioned lands conveyed to Route 57 Development, LLC, the four following courses and distances: N 33 degrees 43 minutes 00 seconds E, 80.43 feet to a point; thence S 48 degrees 00 minutes 00 seconds E, 95.19 feet to a point; thence N 42 degrees 00 minutes 00 seconds E, 16.00 feet to a point; thence S 48 degrees 00 minutes 00 seconds E, 100.00 feet to a point in the southeast line of the aforementioned lands conveyed to Route 57 Development LLC and the northwest line of lands conveyed to James C. Ives and Sue Ann Ives (Liber 1173 Page 190); thence along said line S 38 degrees 39 minutes 56 seconds W, 65/74 feet to the southeast corner of lands of Route 57 Development LLC; thence along the southwest line thereof and the northwest line of lands of The Church of the Holy Family (Liber 377 Page 547), 189.81 feet to the place of beginning, containing 0.3 Acres of land, more or less,

And,

ORDINANCE

Page 2 of 2

Approving the Zone Change Request Submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern on Behalf of Route 57 Development to Change the Approved Zoning Classification of the Rear Portion of 420 State Street, Parcel No. 12-03-220 from Residence C to Commercial

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on September 7, 2010, and adopted a motion recommending that the City Council approve the zone change as requested, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change, and

WHEREAS a public hearing was held on the proposed zone change on October 4, 2010, after due public notice, and

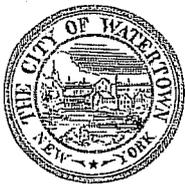
WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone change according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning classification shall be changed for the rear portion of Parcel Number 12-03-220 located at 420 State Street as described above, from Residence C to Commercial, and

BE IT FURTHER ORDAINED that the Zoning Map of the City of Watertown shall be amended to reflect the zone change, and

BE IT FURTHER ORDAINED this amendment to the Zoning Ordinance of the City of Watertown shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator

SUBJECT: Zone Change Request – 420 State Street KAM

DATE: September 1, 2010

Request: To change the approved zoning classification of the rear portion of 420 State Street, Parcel Number 12-03-220 from Residence "C" to Commercial.

Applicant: Daren L. Morgan, P.L.S. of LaFave, White & McGivern on behalf of Route 57 Development LLC.

Property Owner: Route 57 Development LLC.

SEQRA: Unlisted Action.

County Planning Board review required: No

Comments: The proposed zone change is being requested per the attached documents and will bring the entire lot into one zoning designation. Currently the rear portion of the parcel is zoned Residence C. A portion of the Residence C zoning district extends through the existing garage building located at the rear of the site.

Staff has had preliminary discussions with a Syracuse based developer about a proposal to construct a Dunkin' Donuts building on the east side of the property. If that project materializes, a site plan will be submitted to the City for consideration.

Part I of the Short Environmental Assessment Form has been completed and submitted as part of the application. The Land Use Plan calls for Commercial use in this area.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Daren L. Morgan, P.L.S.

THIS PLAN ESTABLISHES BASIC LAND USE OBJECTIVES OF THE CITY OF WATERTOWN. THE LAND USE PATTERNS AND FUNCTIONS SHOWN ON THE PLAN SHOULD BE PROTECTED AND PROMOTED THROUGH THE ZONING ORDINANCE AND OTHER LAND USE AND DEVELOPMENT CONTROLS.



CITY CENTER: HIGH DENSITY CONCENTRATION OF SHOPPING, SERVICE, OFFICE, CULTURAL, RESIDENTIAL, AND RELATED USES APPROPRIATE AND NECESSARY TO SERVE THE COMMUNITY AND REGION. PROMOTES RETAIL AND FOOD SERVICE USES ON GROUND FLOOR WITH OTHER SERVICE, OFFICE AND RESIDENTIAL USES IN UPPER FLOORS.



PUBLIC AND INSTITUTIONAL SERVICES INCLUDING PARK AND OTHER OPEN SPACE: ADMINISTRATIVE, EDUCATIONAL, RELIGIOUS, RECREATIONAL, CULTURAL, AND RELATED SERVICE FACILITIES. SUCH USES ARE DETERMINED BY GOVERNMENT AND OTHER SPONSORS, MAY GENERALLY BE LOCATED IN ANY OTHER LAND USE AREAS, AND ARE SUBJECT TO EXPANSION, MODIFICATION, AND REMOVAL AS THE NEED FOR SERVICES CHANGES. SEE LIST: SMALLER FACILITIES ARE IDENTIFIED ONLY BY NUMBER.



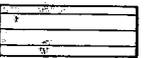
LOW DENSITY RESIDENTIAL: PREDOMINANT USE FOR ONE-FAMILY DWELLINGS.



MEDIUM DENSITY RESIDENTIAL: SUBSTANTIAL USE FOR ONE- AND TWO-FAMILY DWELLINGS.



HIGH DENSITY RESIDENTIAL: CONCENTRATIONS OF MULTI-FAMILY DWELLINGS, MAY HAVE OTHER DWELLINGS.



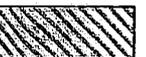
COMMERCIAL: CONCENTRATIONS OF SHOPPING, SERVICE, AND RELATED USES SERVING THE NEIGHBORHOOD, COMMUNITY, OR REGION, AND COMPATIBLE WITH THE LOCATION.



LIMITED OFFICE: NEW CONSTRUCTION AND CONVERSION OF RESIDENTIAL STRUCTURES TO OFFICE AND MIXED (OFFICE PLUS APARTMENT) USE, EXCLUDING RETAIL USE.



OFFICE/BUSINESS: PREDOMINANT USE FOR OFFICES AND NON-RETAIL BUSINESSES.



NEIGHBORHOOD BUSINESS: HIGH DENSITY CONCENTRATION OF LOCAL SHOPPING, SERVICE AND OFFICE USES TO SERVE IMMEDIATE NEIGHBORHOODS.



HEALTH SERVICES: PREDOMINANT USE FOR HOSPITAL WITH ACCESSORY USES - MEDICAL OFFICES, INTERMEDIATE AND LONG-TERM CARE FACILITIES AND DIRECT SUPPORT SERVICES.



RIVERFRONT DEVELOPMENT: RECOGNIZES AND PROMOTES THE BLACK RIVER AS AN AMENITY WHICH CAN SPUR DEVELOPMENT OF ADJOINING OLDER AREAS OF THE CITY. REDEVELOPMENT WILL COMBINE ADAPTIVE RE-USE OF HISTORIC BUILDINGS AND NEW CONSTRUCTION TO UTILIZE THE RIVERFRONT TO ITS FULLEST POTENTIAL. LAND USES WILL INCLUDE A MIX OF RESIDENTIAL, COMMERCIAL AND PARK AND RECREATIONAL USES.



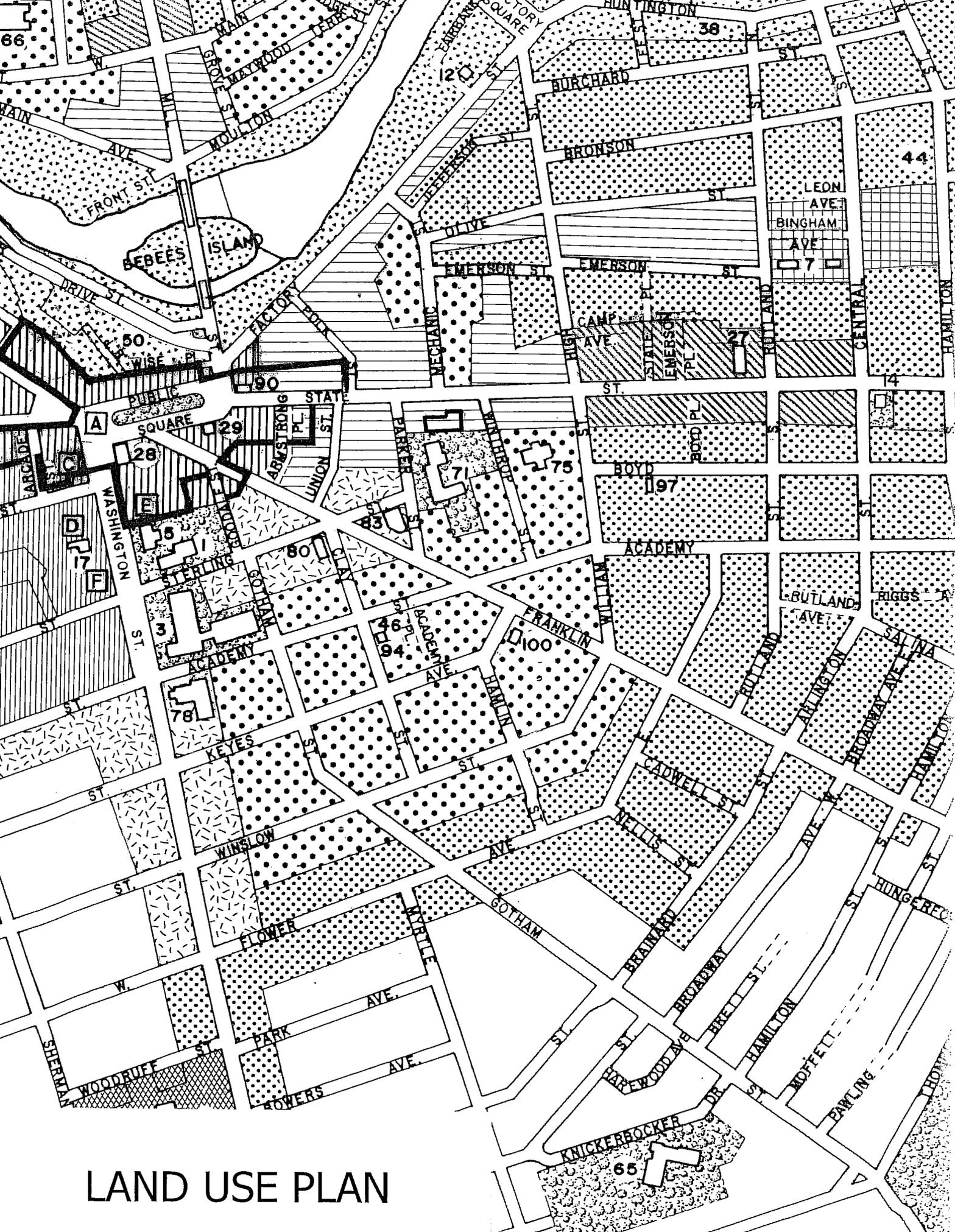
INDUSTRY: PERMITTED MANUFACTURING AND OTHER INDUSTRIAL USES.



DRAINAGE MANAGEMENT AREAS: PORTIONS OF VACANT AREAS MAY HAVE SOME DEVELOPMENT LIMITATIONS TO MAINTAIN DRAINAGE CAPACITY.

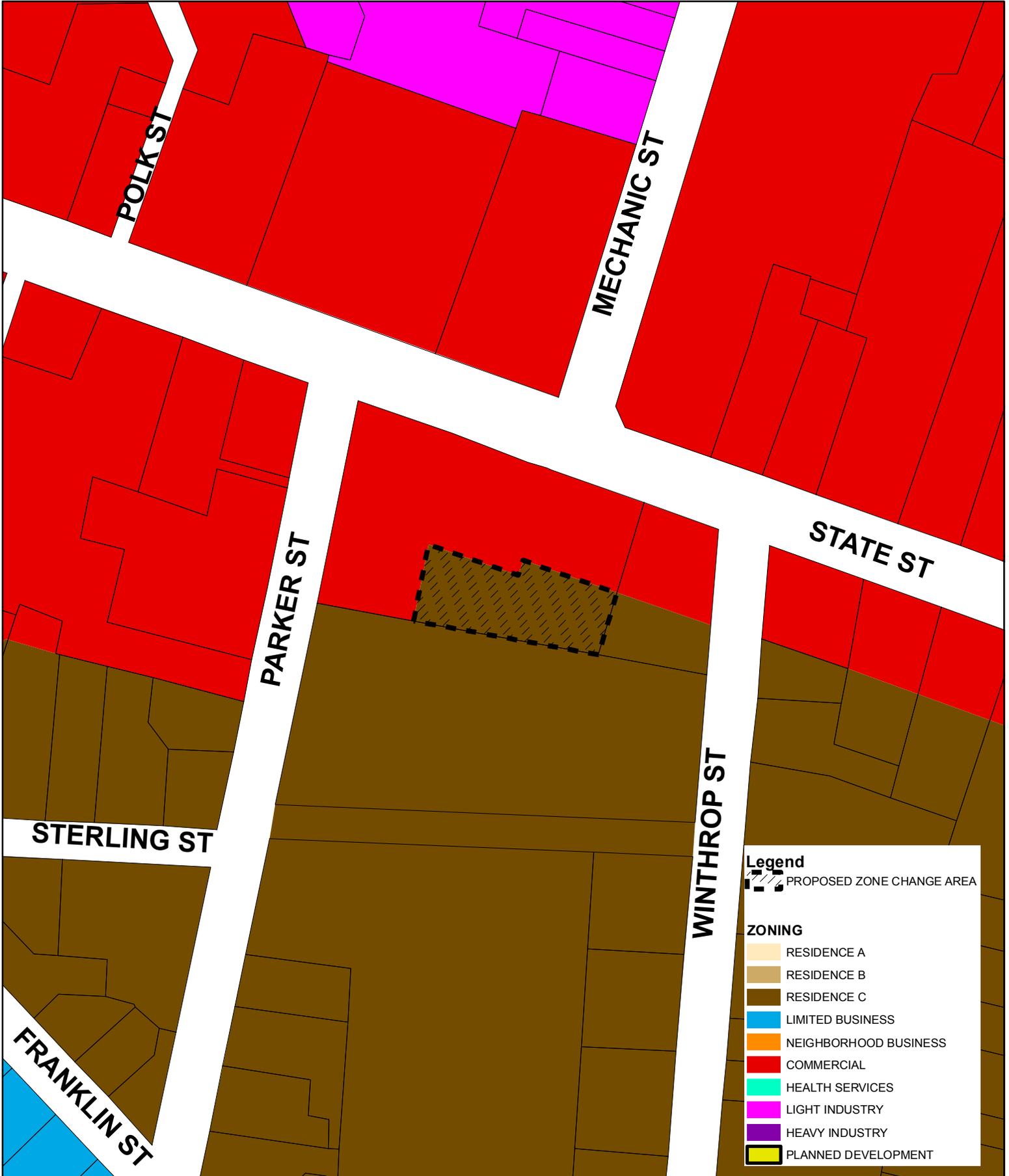


MAJOR HIGHWAY SYSTEM IMPROVEMENT.



LAND USE PLAN

PROPOSED ZONE CHANGE
REAR PORTION of 420 STATE STREET
RESIDENCE C to COMMERCIAL



Legend

PROPOSED ZONE CHANGE AREA

ZONING

- RESIDENCE A
- RESIDENCE B
- RESIDENCE C
- LIMITED BUSINESS
- NEIGHBORHOOD BUSINESS
- COMMERCIAL
- HEALTH SERVICES
- LIGHT INDUSTRY
- HEAVY INDUSTRY
- PLANNED DEVELOPMENT

0 100 200 Feet



LaFave, White & McGivern, L.S., P.C.
LAND SURVEYORS & PHOTOGRAMMETRISTS

THERESA - BOONVILLE - ROME

August 6, 2010

Honorable Mayor and City of Council
City of Watertown
Washington Street
Watertown, NY 13601



Subject: Route 57 Development, LLC Request for Zoning Change/Amendment
426 State Street, Tax Parcel No. 1203220

On behalf of Route 57 Development LLC, owners of the subject property at the corner of State and Parker Street, site of the former Dodge Dealership, we are requesting an amendment to the current Zoning Classification of a portion of their property.

The property currently has two zoning classifications. The entire street frontage on Parker and State Streets is zoned Commercial; however, a portion of the back of the property is zoned Residence C.

On July 7, 2009, the City of Watertown Planning Board recommended approval of a three lot subdivision of the property with the understanding that application to amend the zoning ordinance to make the entire property Commercial Zoning would be submitted.

Route 57 Development LLC is hereby requesting the amendment of the zoning for a 0.3 acre portion of the subject property from Residence C to Commercial to facilitate future sale and development of the three lot subdivision as previously approved.

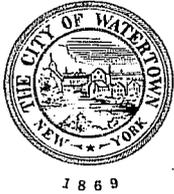
Enclosed for your review are 16 submittal packages consisting of copies of the subdivision map with the requested zoning amendment area delineated, metes and bounds description of the area to be amended, and a completed SEAF. Also enclosed is our firm check in the amount of \$100.00 for the application fee for the requested modification of the zoning.

Sincerely,
LaFave White & McGivern LS PC

A handwritten signature in black ink, appearing to read 'Daren L. Morgan'.

Daren L. Morgan, P.L.S.
DLM/per

cc: PJ Simao, Jan Kublick, Esq.



CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD

ROOM 302, WATERTOWN CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
(315) 785-7730

Meeting: September 7, 2010

Present:

Norman J. Wayte II, Chairman
Lori Gervera
Randy Fipps
Lawrence Coburn
Sara Freda

Also:

Kenneth A. Mix, Planning & Community
Development Coordinator
Michael A. Lumbis, Planner
Dale Herman, Fire Chief

Absent:

Sarah Warner
Alan Harris

The September 7, 2010 Planning Board meeting was called to order at 4:00 p.m. by Chairman Norman Wayte. Mr. Wayte called for a reading of the Minutes from the August 3, 2010 Planning Board Meeting. Mrs. Freda moved to accept the Minutes as written. The motion was seconded by Mrs. Gervera and all voted in favor.

ZONE CHANGE – 420 STATE STREET, PARCEL NO. 12-03-220

The Planning Board then considered a Zone Change Request submitted by Daren L. Morgan, P.L.S. of LaFave, White & McGivern on behalf of Route 57 Development LLC to change the approved zoning classification of the rear portion of 420 State Street, Parcel No. 12-03-220 from Residence C District to Commercial District. In attendance to represent the Zone Change Request was Daren L. Morgan.

Mr. Morgan began by stating that approximately one year ago he approached the Planning Board to subdivide the 420 State Street property, which was subsequently approved by the Planning Board. During the review of the subdivision request, it was noted that the rear portion of the property was actually in a Residence C zone, and the Planning Board recommended that at some point in the future it be changed so that the entire property was in one classification. On behalf of Route 57 Development, he is now here to make the application to change the zoning from Residence C to Commercial District.

Mr. Wayte stated that it was a straightforward application and that he had no issues with the proposal. He asked the Planning Board if they had any other questions or concerns. Hearing no concerns, Mr. Wayte asked for a motion.

Mrs. Freda moved to recommend that the City Council grant the Zone Change Request submitted by Daren L. Morgan, P.L.S. of LaFave, White and McGivern on behalf of Route 57 Development LLC to change the approved zoning classification of the rear portion of 420 State Street, Parcel No. 12-03-220 from Residence C to Commercial. The motion was seconded by Mrs. Gervera and all voted in favor.

Public Hearing – 7:30 p.m.

September 14, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving Option Agreement Extension With Watertown Local
Development Corporation for City Center Industrial Park

Attached is a resolution approving an extension of the Option Agreement with Watertown Local Development Corporation for City Center Industrial Park for seven years. Pursuant to Section 1411(d) of the New York Not-For-Profit Corporation Law, a public hearing on the extension has been scheduled for Monday, September 20, 2010 at 7:30 p.m.

All other terms and conditions of the original Agreement will remain in place. A copy of the original Agreement is attached for review.

RESOLUTION

Page 1 of 1

Approving Option Agreement Extension with Watertown Local Development Corporation for City Center Industrial Park

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

Council Member Jeffrey M. Smith

WHEREAS the City of Watertown is owner of vacant land known as City Center Industrial Park, and

WHEREAS the City of Watertown has no public purpose for said land, and

WHEREAS the City Council approved an Option Agreement with the Watertown Local Development Corporation for the Industrial Park on July 7, 2003, and

WHEREAS said Option Agreement has expired, and

WHEREAS the City Council desires to extend said Option Agreement, and

WHEREAS in accordance with Section 1411(d) of the New York Not-For-Profit Corporation Law, a public hearing was held on September 20, 2010, at 7:30 p.m.,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Option Agreement Extension between the City of Watertown and the Watertown Local Development Corporation, a copy of which is attached and made part of this resolution, and

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

Seconded by Council Member Joseph M. Butler, Jr.

OPTION AGREEMENT EXTENSION

This Agreement made this _____ day of September 2010 by and between the **CITY OF WATERTOWN, NEW YORK**, a New York State municipal corporation having its offices at 245 Washington Street, Watertown, New York 13601 (hereinafter referred to as "**City**") and **WATERTOWN LOCAL DEVELOPMENT CORPORATION**, a New York State not-for-profit corporation, with an office and place of business at 82 Public Square, Watertown, New York 13601 (hereinafter referred to as "**WLDC**").

WITNESSETH:

WHEREAS the City Council approved an Option Agreement with the WLDC on July 7, 2003, for property known as City Center Industrial Park as described in said Option Agreement, and

WHEREAS after a public hearing held pursuant to Section 1411(d) of the New York Not-For-Profit Corporation Law held on September 20, 2010,

NOW THEREFORE the City, in consideration of the sum of Ten and no/100 dollars (\$10.00), plus other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, duly paid by the WLDC, does hereby extend the term of the Option Agreement for seven (7) years from the date of the original expiration of the Agreement. All other terms and conditions of the Option Agreement remain the same.

IN WITNESS WHEREOF this Agreement has been executed by the parties hereto, the day and year first above written.

CITY OF WATERTOWN, NEW YORK

By: _____
Mary M. Corriveau
City Manager

WATERTOWN LOCAL DEVELOPMENT
CORPORATION

By: _____
Donald W. Rutherford
Executive Director

STATE OF NEW YORK)
) SS.:
COUNTY OF JEFFERSON)

On the _____ day of September in the year 2010 before me, the undersigned, a notary public in and for said state, personally appeared **MARY M. CORRIVEAU**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) SS.:
COUNTY OF JEFFERSON)

On the _____ day of September in the year 2010 before me, the undersigned, a notary public in and for said state, personally appeared **DONALD W. RUTHERFORD**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

Notary Public

OPTION AGREEMENT

THIS OPTION AGREEMENT made this ___ day of July, 2003, by and between the **CITY OF WATERTOWN, NEW YORK**, a New York State municipal corporation having its offices at 245 Washington Street, Watertown, New York 13601 (hereinafter referred to as "**City**") and **THE LOCAL DEVELOPMENT CORPORATION OF THE CITY OF WATERTOWN, NEW YORK**, a New York State not-for-profit corporation, with an office and place of business at 800 Starbuck avenue, Watertown, New York 13601 (hereinafter referred to as "**WLDC**").

WITNESSETH:

WHEREAS, the City is the owner of the Premises situate in the City and more particularly described in Schedule "A" attached (the "**Premises**"); and

WHEREAS, after a public hearing held pursuant to Section 1411 (d) of the New York Not-For-Profit Corporation Law held on June 23, 2003, a resolution was duly adopted by the City Council approving this Agreement on July 7, 2003.

NOW THEREFORE, the City, in consideration of the sum of Ten and no/100 Dollars (\$10.00), plus other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, duly paid by the WLDC, does hereby give and grant to the WLDC the exclusive right and option to purchase the Premises or any part thereof upon the terms and conditions as hereinafter contained (the "**Option**").

1. In the event that the WLDC elects to exercise the Option for any or all of the Premises, it shall deliver written notice to the City, at any time on or before seven (7) years from the date of this option, (the "**Option Period**"), either by certified mail, return receipt requested, or personal delivery at its address as set forth above, or at such other address which the City shall designate to the WLDC from time to time in writing. The notice given pursuant to this paragraph 1 shall designate that portion of the Premises the WLDC is purchasing from the City pursuant to this Option. If the WLDC fails to exercise this Option as herein provided during the Option Period then this Agreement and the rights and obligations created hereby shall terminate automatically at midnight on said date. It is the intent of the parties that during the Option Period the WLDC may elect to purchase portions of the Premises from time to time as it in its sole discretion deems advisable.
2. The total purchase price for each portion or all of the Premises as the case may be shall be the sum of One Hundred and no/100 (\$100.00) Dollars (the "**Purchase Price**") payable by cash, certified check or bank draft at Closing.
3. The City agrees to make available for WLDC's review, upon execution hereof, such deeds, abstracts, and other title information and such existing boundary surveys, topographic maps, soil reports and other pertinent data as the City may have obtained

from time to time, and which WLDC deems to be relevant to the purpose of the Agreement.

4. The City agrees that during the Option Period without the prior written approval of WLDC, which approval shall not be unreasonably withheld, it will not (a) grant any easements or other rights affecting the Premises to any person; (b) lease all or any portion of the Premises; (c) convey any interest in the Premises or grant any encumbrance upon the Premises.
5. Transfer of title to the Premises or any portion thereof from time to time (the "Closing") shall be no longer than sixty (60) days after the City receives notice of WLDC's election to exercise this Option at the office of the attorney for the WLDC, or any such other place or on such other day as shall be agreed upon by the parties hereto.
6. At Closing, the City shall convey good and marketable title to the Premises or any portion thereof by bargain and sale deed in proper statutory form for recording, which deed shall be duly executed and acknowledged so as to convey to the WLDC the fee simple title to the Premises or any portion thereof, free of all encumbrances, easements or liens of any kind except utility and railroad easements of record as of the date of this Agreement and the covenants and restrictions set forth in a certain Declaration of Covenants and Restrictions which Declaration shall be recorded in the Jefferson County Clerk's Office, a copy of which is attached as Schedule "B".
- 7A. The City has provided an Abstract of Title to the Premises, beginning with a Warranty Deed recorded at least forty years prior to the date of this Agreement, showing the City to be vested with good and marketable and insurable fee simple title to the Premises.
- 7B. Prior to any closing pursuant to this Agreement, the City shall deliver to the WLDC a redate of the Abstract, certified to a date which is less than thirty (30) days prior to the closing date. The City shall give and the WLDC shall accept such title as any title insurance company licensed to do business in New York State will approve and insure, with standard exceptions. In the event that City is unable to provide insurable title as set forth hereinabove, the WLDC shall have the option to accept title in its existing condition without abatement of the Purchase Price or rescinding this Agreement.
8. Each party will pay its own closing costs which are normally attributable to a transaction of this type.
9. The City shall provide WLDC with a current survey and legal description for the Premises prepared by a licensed New York State surveyor, and certified to the City and WLDC prior to November 1, 2003. The legal description provided will then be substituted as Schedule "A" by the parties as the description of the Premises.

10. Notwithstanding any exercise by the WLDC of its rights to purchase all or any portion of the Premises, it may, in its sole discretion, at any time prior to any Closing notify the City that it does not intend to purchase that part of the Premises described in its notice to the City pursuant to paragraph 1 of this Agreement. Its notice not to purchase will not terminate this Agreement and the WLDC will continue to have a right to purchase the Premises or any portion thereof pursuant to this Agreement including that part of the Premises.
11. WLDC agrees that, except for any part of the Premises upon which it has constructed a building, the proceeds of the sale by WLDC of any part of the Premises which is vacant land and for which it has exercised an option to purchase hereunder shall be utilized by the WLDC solely for the purpose of promoting interest in, improvements to, and use of the Premises as an industrial park including, but not limited to, roads and infrastructure, advertisement, signage, and maintenance of common areas, but shall specifically not include the construction, financing, or maintenance of speculative buildings on the Premises or WLDC activities which are not directly related to the Premises. Proceeds shall be considered the net proceeds, after closing costs. If the WLDC constructs a speculative building or buildings, however, WLDC shall not be obligated to separately establish a value for the land for purposes of allocating proceeds for promotion of the Premises. WLDC's obligation to utilize net proceeds as set forth in this paragraph shall continue for a period of ten (10) years from the date of this Option Agreement, at which time the proceeds shall become the property of WLDC. A failure to apply net proceeds as agreed in this paragraph shall entitle the City to seek recover of those amounts, but shall not constitute a breach entitling the City to seek the termination of this Option.
12. In the event either party brings an action to enforce its rights pursuant to this Agreement in a court of competent jurisdiction, the successful party shall be entitled to reimbursement by the other party of its reasonable attorneys fees and other reasonable expenses incurred in prosecuting or defending such action whichever the case may be.
13. This Agreement shall be binding upon and inure to the benefit of each of the parties hereto and their successors and assigns and shall be construed in accordance with the laws of the State of New York. Any exercised option for all or a portion of the Premises may be assigned by the WLDC to any contract vendee prior to closing. It is the intent of this Agreement, however, to keep the WLDC as the sole optionee under this Agreement.
14. All notices required or permitted to be given hereunder shall be in writing and delivered personally to the addressee or, at the sender's election, sent by registered or certified mail, postage prepaid, return receipt requested, addressed to the other party at such party's address shown at the beginning of this Agreement or to such other address as the other party shall have designated in the manner herein provided for the

giving of such notice. Such notice shall be deemed to have been given on the date personally delivered, or on the date deposited with the United States Postal Service, as the case may be, except a notice of change of address or revocation of a prior notice shall be effective only upon receipt by the other party.

IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto, the day and year first above written.

CITY OF WATERTOWN, NEW YORK

By: _____

THE LOCAL DEVELOPMENT CORPORATION
OF THE CITY OF WATERTOWN, NEW YORK

By: _____

Donald W. Rutherford
Executive Director

STATE OF NEW YORK)
) SS.:
COUNTY OF JEFFERSON)

On the ___ day of _____, in the year 2003 before me, the undersigned, a notary public in and for said state, personally appeared _____, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signatures(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

STATE OF NEW YORK)
) SS.:
COUNTY OF JEFFERSON)

On the ____ day of _____, in the year 2003 before me, the undersigned, a notary public in and for said state, personally appeared **DONALD W. RUTHERFORD** personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her their signatures(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Public Hearing – 7:30 p.m.

September 15, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Approving the Zoning Amendment Request Submitted by Brian J. Drake of GYMO, P.C. on Behalf of Purcell Construction Corp. to Amend Planned Development District No. 16 to Allow Two Enriched Living Buildings and Five Two-Unit Dwellings and Eliminate a Previously Approved Assisted Living Facility on Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101

The City Council scheduled a public hearing on the above subject zoning amendment request for 7:30 p.m. on Monday, September 20, 2010.

The Planning Board reviewed the request at its August 3, 2010 and September 7, 2010 meetings. The Board adopted a motion recommending that the City Council approve the request. Attached are copies of the reports prepared for the Planning Board and excerpts from its meeting minutes.

The City Council must approve the SEQRA resolution before voting on this Ordinance.

ORDINANCE

Page 1 of 1

Approving the Zoning Amendment Request Submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to Amend Planned Development District # 16 to Allow Two Enriched Living Buildings and Five Two-Unit Dwellings and Eliminate a Previously Approved Assisted Living Facility on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101.

Council Member BURNS, Roxanne M.
 Council Member BUTLER, Joseph M. Jr.
 Council Member MACALUSO, Teresa R.
 Council Member SMITH, Jeffrey M.
 Mayor GRAHAM, Jeffrey E.
 Total

YEA	NAY

Introduced by

Council Member Joseph M. Butler, Jr.

BE IT ORDAINED where Brian J. Drake, Project Engineer of GYMO, P.C., on behalf of Purcell Construction Corp., has made application by petition filed with the City Clerk, pursuant to Section 83 of the New York General City Law to amend Planned Development District # 16 to allow two enriched living buildings and five two-unit dwellings and eliminate a previously approved assisted living facility on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101, and

WHEREAS the Planning Board of the City of Watertown considered the request at its meetings held on August 3, 2010 and September 7, 2010, and adopted a motion recommending that the City Council approve the amendment to the approved plan and allowed uses, and

WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the amendment to Planned Development District #16, and

WHEREAS a public hearing was held on the proposed zone amendment on September 20, 2010, after due public notice, and

WHEREAS the City Council has made a declaration of Negative Findings of the impacts of the proposed zone amendment according to the requirements of SEQRA,

NOW THEREFORE BE IT ORDAINED that the zoning for Planned Development District #16, Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101, is hereby amended to allow two enriched living buildings and five two-unit dwellings and eliminate a previously approved assisted living facility as shown on the Planned Development Plan submitted to the City Engineering Department on August 24, 2010, which in its entirety replaces all previous plans, and

BE IT FURTHER ORDAINED this amendment shall take effect as soon as it is published once in the official newspaper of the City of Watertown, or printed as the City Manager directs.

Seconded by Council Member Jeffrey M. Smith



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Zone Change Request – Planned Development District # 16

DATE: September 2, 2010

Request: To amend Planned Development District # 16 to allow two enriched living buildings and five two-unit dwellings and eliminate the previously approved assisted living facility on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101.

Applicant: Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp.

Property Owner: Ives Hill Retirement Community.

SEQRA: Unlisted Action.

County Planning Board review required: No.

Comments: The proposed amendment to Planned Development District (PDD) # 16 is being requested to facilitate the construction of two enriched living facilities on Parcel Number 14-49-101. Currently, the parcels are only approved for the construction of apartments and the PDD plan has to be modified to allow the proposed uses.

PDD #16 was created in 1986 and the approved plan included apartments and townhouses. Only the townhouses on Kieff Drive were built. The area identified as Phase III on the plan was approved for apartments. The applicant is proposing two enriched living buildings and five duplexes. The duplexes fit within the existing zoning, but the enriched living facilities, which we are considering to be similar to nursing homes, do not. Therefore the need for the zone change.

On the plan submitted last month, the area to the east of the proposed duplexes and the enriched living facilities (Parcel 14-49-101.101) was designated for multi family housing. The current allowed use for that parcel is an assisted living facility. The applicant has indicated that the assisted living facility will never be constructed at that site. Also, the applicant has no immediate plans for this area and therefore is showing the area as vacant land. After approval of the plan, the allowed use for this area of the property will be vacant land or open space. Any future plans for the site will require a zone change request.

There were several issues raised last month during the initial review of the PDD amendment request including vehicular access to Ives Street, a water line to Ives Street and the lack of pedestrian facilities at the site.

In order to meet the request of both the Fire Department and Code Enforcement Bureau, the applicant is proposing a 20' wide gravel, emergency only, access road from the end of the Jewell Drive extension to Ives Street. The emergency access road must be designed to City specifications and be approved by the City Engineer prior to construction. In addition, the access road should be properly maintained on a year round basis to include daily snow removal and resurfacing and grading when required.

In order to provide adequate fire flows for the existing and proposed buildings, the Water Department is requiring a waterline from Ives Street. The applicant has provided an 8" water line that will be looped from Jewell Drive to Ives Street. This will provide adequate hydraulic capacity for the existing and proposed buildings.

As was noted in the last staff report, pedestrian paths have been lacking in all phases of this development. Phase I had minimal sidewalks and Phase II had none. For Phase III, the applicant is now proposing new sidewalks along the private portion of Jewell Drive. This would extend the sidewalks approximately 650' from where they leave off at the edge of the congregate building property, past the private drive called Stone Circle, to the end of the proposed development. The applicant indicated at the Planning Board meeting that pedestrian circulation through the interior portions of the site will be along the minimally traveled driveways that serve the various one and two-unit houses.

Based on our review of the plans, the revised Planned Development District Plan appears to have addressed all of the issues raised in our previous report and at the Planning Board meeting. Additional comments regarding the site plan will be included in our site plan report.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Brian Drake, GYMO, P.C.
Christina Schneider, Purcell Construction

Leo F. Gozalkowski, PLS
Stephen W. Yaussi, AIA
Edward G. Olley, Jr., AIA
William P. Plante, PLS
Patrick J. Scordo, PE
Thomas S.M. Compo, PE

Gregory F. Ashley, PLS

24 August 2010

Mr. Kenneth A. Mix
Planning and Community Development Coordinator
City Engineering Department
245 Washington Street
Watertown, NY 13601



Re: Zone Change Request, Site Plan Submission
Ives Hill Retirement Community-Phase III, Jewell Drive
File: 2010-077

Dear Mr. Mix:

At its August 3rd meeting, the Planning Board of the City of Watertown considered our request to amend Planned Development District #16 to allow two enriched living buildings along with five two-unit dwellings. At that same meeting, the Board considered our request for site plan approval for the construction of a 13,720 sq. ft. enriched living facility and five two-unit dwellings totaling 16,070 sq. ft. in the 1200 block of Jewell Drive, tax parcel numbers 14-49-101 and 14-49-101.005. We are submitting the following to address the planning board's comments and approval at the 20 September 2010 City Council Meeting.

- Four collated sets of full-size (24"X36") site plans;
- 11 sets of 11"X17" site plans;
- Four Engineering Reports;
- Four full size PDD Maps for zoning amendment;
- Suggested Legal Description of Assembled Parcel; and,
- Short EAF.

The following comment numbers correspond directly to your comments, contained in your correspondence dated July 28, 2010, with our responses in bold. The drawings have also been revised to reflect a change in square footage of the buildings. The Enriched Living Facility (13,913 sf), Type A dwellings (3,683 sf) and Type B dwellings (3,942 sf) have been updated to reflect a minor change in the floor plans.

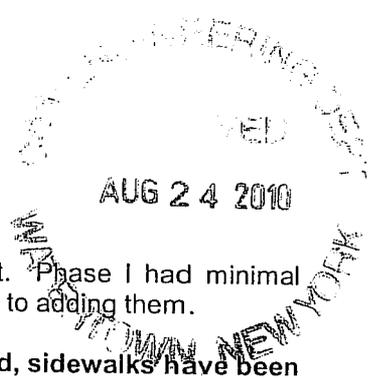
Zoning Change Comments:

- 1) The applicant should either add a preliminary plan for the multi-family housing or show the currently approved plan for the assisted living center. Whichever plan is shown, vehicle access from Ives Street will have to be on the plan. The access has been on every plan since 1970.

There are currently no plans for the development of the area in question in the foreseeable future. The owner wishes to remove the area previously labeled as multifamily housing, and currently approved for assisted living, from the Planned Development District. The owner understands that should the area be developed in the future, a zone change request will be necessary. Refer to Site Plan Sheets C101 and C102 for the vehicle access from Ives Street that is provided pursuant to the above request. The vehicle access to Ives Street will consist of a 20-foot wide gravel emergency only access road.

- 2) A waterline from Ives street will also be required. The fire flows in this area are marginal. Phase II construction was only allowed because we thought the assisted living center that was approved was going to be built right after it, which would have looped the water system.

The requested eight-inch water line to Ives Street is shown on Sheet C103 and C104. The new eight-inch water line will loop from Jewell Drive to Ives Street and will provide additional hydraulic capacity for Phases I-III as well as any future development that may take place at Ives Hill Retirement Community. Refer to the engineering report for hydraulic analysis of the new system



- 3) Pedestrian Paths have been lacking in all phases of this development. Phase I had minimal sidewalks. Phase III continues that trend. Consideration should be given to adding them.

As discussed at that planning board meeting and requested by the board, sidewalks have been added along the private portion of Jewell Drive, connecting the City owned sidewalk to Stone Circle.

Site Plan Approval Comments:

- 1) The existing property lines are not shown correctly as Parcel Number 14-49-101.005 is not shown and the plans are missing several easements. The end of the Jewell Drive right-of-way should be depicted and the utility easements within the Phase I & II development should be depicted and labeled.

Please refer to updated Survey Sheets SU101, SU102, and SU103 showing existing property lines, easements and rights-of-way.

- 2) The applicant must provide a Boundary and Topographic Survey Map of the involved parcels. This map must be stamped and signed with an original seal and signature on at least one copy, the rest may be copies thereof.

Please refer to updated Survey Sheets SU101, SU102, and SU103 showing existing property lines, easements and rights-of-way, as well as topographic information.

- 3) Two of the proposed two unit dwellings are shown being constructed across a property line. The applicant will either have to shift the buildings or combine the two parcels to rectify the issue.

The applicant is proposing to assemble Parcels 14-49-101.005, 14-49-101 and 14-49-101.001. Refer to attached Suggested Legal Description for Parcel Description.

- 4) The applicant must depict land use, zoning, and tax parcel numbers on the site plan.

Refer to PDD1 for Zoning and land use. Tax parcel numbers are shown on both Survey and Site Plan sheets.

- 5) A detail for concrete sidewalks and asphalt pavement in City R.O.W. must be provided.

A detail for concrete sidewalks (3/C501) and asphalt pavement (2/C501) have been shown

- 6) A detail for Curb wipedown must be provided.

There are no curbs proposed so there is no need for a curb wipedown detail.

- 7) The Curb Cut Fee on sheet C001 should be revised to \$75.

Acknowledged. Refer to revised sheet C001.

- 8) The applicant should revise the line style of the parking lot for the future enriched living facility if no curbing is proposed.

Although the future building is shown for informational purposes only, refer to revised Sheet C101 for correct line style of the parking lot for the future enriched living facility.

- 9) An 8" main must be looped from the end of the private section of Jewell Drive at Stone Circle to the 8" main on Ives Street near the intersection with Barben Ave.

Refer to response to zone change Comment #2.

- 10) The applicant must provide a copy of all correspondence and submittals to NYS DOH for the Water Supply Permit and a curb stop detail must be added to the plans.

Acknowledged. The City will be copied on correspondence with NYS DOH. Refer to Detail 10, Sheet C502 for curb stop detail. Submission to the NYSDOH is anticipated once planning board approval is granted.

- 11) The applicant must provide a copy of all correspondence and submittals to NYS DEC for the Sanitary Sewer Permit.

Acknowledged. The City will be copied on correspondence with NYS DEC. Submission to the NYSDEC is anticipated once planning board approval is granted.

- 12) The applicant must provide profiles for the sanitary sewers and depict all utility crossings and add a sanitary cleanout detail to the plans.

Refer to Sheet C201 for the profiles of the sanitary sewers, which depict utility crossings. Refer to Detail 8, Sheet C501 for sanitary sewer cleanout detail.

- 13) A detail showing the connection to the City's sanitary sewer system must be added to the plans.

The applicant is proposing connecting at existing 8-inch sewer stub outs along Jewell Drive using a new manhole.

- 14) The property owner must obtain a sanitary sewer permit prior to connection to the City's sewer system.

Acknowledged. A note is included on Sheet C001 informing the contractor of the requirement.

- 15) A detail showing the connection to the City's storm sewer system must be added to the plans.

Refer to Detail 9 on Sheet C502.

- 16) The property owner must obtain a storm sewer permit prior to connection to the City's sewer system.

Acknowledged. A note is included on Sheet C001 informing the contractor of the requirement.

- 17) The applicant must provide pre and post drainage calculations and drainage area maps.

The Stormwater Pollution Prevention Plan (SWPPP) will contain the necessary drainage calculations and drainage area maps and will be forwarded to the City upon completion.

- 18) The applicant must provide final design, details and calculations for the proposed Stormwater Management Pond.

The SWPPP will contain the necessary designs, details and calculations and will be forwarded to the City upon completion.

- 19) The applicant must provide a stamped and signed copy of the Stormwater Pollution Prevention Plan (SWPPP).

The SWPPP will be stamped and signed by a NYS Professional Engineer and will be forwarded to the City upon completion.

- 20) Construction entrances shall be maintained in accordance with approved SWPPP and the contractor shall provide appropriate traffic control measures along Jewell Drive.

The SWPPP will contain information on construction entrances. Also, refer to Detail 2, Sheet C505 for typical offside sediment tracking control detail. Refer to general notes on Sheet C001 for Maintenance of Traffic notes.

- 21) The applicant must provide a copy of all correspondence and submittals to NYS DEC for SPDES Permit and a construction entrance detail must be provided.

The City will be copied on correspondence with the NYS DEC for stormwater discharge. Refer to Detail 2, Sheet C505 for typical offside sediment tracking control detail.

- 22) Additional information should be provided to show that the lighting levels around the entrance and exit areas will be adequate.

A site light has been added near the entrance to the Enriched Living Facility. Exits of the Enriched Living Facility will be lit by wallpacks installed near the exits. Refer to revised sheet C101 for photometrics.

- 23) Large Deciduous or coniferous trees spaced 40' on center should be provided along both sides on the enriched living facility internal drive, both sides of the internal drive that services the duplexes and along the extension of Jewell drive.

Large Deciduous or coniferous trees have been provided where feasible and no conflicts with utilities or site plan components exist. Refer to revised Sheets C101 and C102 for locations of trees and Sheet C001 for planting table.

- 24) A planting bed and/or landscaped berm should be considered in the area between the proposed parking lots and the street right-of-way.

Refer to revised Sheet C101 for the location of the planting bed provided along the parking lot for the enriched living facility.

- 25) Consideration should be given to adding sidewalks along the city street portion of Jewell Drive and the private extension of that street.

Refer to zone change Comment #3 response.

- 26) To meet emergency access requirements, the proposed gravel road behind the building will have to be upgraded to asphalt and the 15' gravel drive on the north side of the building will have to be widened to 20' and upgraded to asphalt.

Refer to revised Sheet C101 showing the upgraded emergency access requirements.

24 August 2010
Mr. Kenneth A. Mix
Page 5 of 5

27) An emergency access route, which is at least 20' wide and paved, from the end of Jewell Drive to Ives Street will also have to be provided.

Pursuant to the requests of the City Fire Department at the Planning Board Meeting on August 3, 2010, a 20' wide gravel emergency access road has been provided to Ives Street. Refer to revised Sheets C101-C104.

28) The number and locations of fire hydrants will have to approved by the fire Department.

Acknowledged. It is anticipated that the City Fire Department will review the site and utility plans as part of the Site Plan review process.

We trust these responses address the Planning Board's concerns. If you have questions, please contact me at your earliest convenience.

Sincerely,
GYMO Architecture, Engineering & Land Surveying, P.C.



Brian J. Drake, I.E.
Project Engineer

Attachments

PC: P.J. Scordo, P.E. S. Yaussi, A.I.A.- GYMO, PC
Tina Schneider, Purcell Construction Corp. - w/encl.
Rick Gefell, Purcell Construction Corp.



MEMORANDUM

City of Watertown Planning Office

245 Washington Street, Room 304

Watertown, New York 13601

315-785-7730

Fax: 315-782-9014

TO: Norman J. Wayte II, Chairman, Planning Board

FROM: Kenneth A. Mix, Planning and Community Development Coordinator *KAM*

SUBJECT: Zone Change Request – Planned Development District # 16

DATE: July 28, 2010

Request: To amend Planned Development District # 16 to allow two enriched living buildings, five two-unit dwellings and multifamily housing on Parcels Number 14-49-101, 14-49-101.005 and 14-49-101.101.

Applicant: Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp.

Property Owner: Ives Hill Retirement Community.

SEQRA: Unlisted Action.

County Planning Board review required: No.

Comments: The proposed amendment to Planned Development District (PDD) # 16 is being requested to facilitate the construction of two enriched living facilities and five two unit dwellings on Parcel Number 14-49-101 and 14-49-101.005. Currently, the parcels are approved for the construction of apartments and the PDD plan has to be modified to allow the proposed uses. Parcel Number 14-49-101.101 is approved for an assisted living center and the applicant is requesting multi-family housing.

PDD #16 was originally part of PDD #3, which was created in 1970. Only Phase 1 (Maple Courts) of the original development was built. In 1986 a new developer proposed a new plan and PDD #16 was created. The approved plan included apartments and townhouses. Only the townhouses on Kieff Drive were built.

In 1997 another developer received site plan approval for Phases I and II of the Ives Hill Retirement Community. That development was subsequently built.

In 1999 the PDD was amended to allow an adult home in the area identified as Phase IV on the current plan and the site plan was approved. The site plan was revised for an assisted living center in 2002.

The only approved plan for the area identified as Phase III is the 1986 plan, which was for apartments. The applicant is proposing two enriched living buildings and five duplexes. The duplexes fit within the existing zoning, but the enriched living facilities, which we are considering to be similar to nursing homes do not. Therefore the need for the zone change.

The applicant is also requesting that the allowed use in the area of Phase IV be changed back from an assisted living center to multi-family housing. Planned Development Districts are supposed to be designed as a unit and a preliminary plan is required for the entire unit. Labeling the parcel as "Proposed Multifamily Housing" is not adequate. The applicant should either add a preliminary plan for the multi-family housing or show the currently approved plan for the assisted living center. Whichever plan is shown, vehicle access from Ives Street will have to be on the plan. The access has been on every plan since 1970.

A waterline from Ives Street will also be required. The fire flows in this area are marginal. Phase II construction was only allowed because we thought the assisted living center that was approved was going to be built right after it, which would have looped the water system.

Pedestrian paths have been lacking in all phases of this development. Phase I had minimal sidewalks and Phase II had none. Phase III continues that trend. Consideration should be given to adding them.

The applicant is also seeking site plan approval for the construction of the nursing home and the two unit dwellings. The site plan review information will be detailed in a separate report.

cc: Planning Board Members
City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Brian Drake, GYMO, P.C.

**Excerpt From
Planning Board's
9/7/10 Meeting Minutes**

**ZONE CHANGE – PLANNED DEVELOPMENT DISTRICT #16,
PARCEL NOS. 14-49-101, 14-49-101.005 AND 14-49-101.101**

The Planning Board then considered the tabled Zone Change Request submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to amend Planned Development District #16 to allow two enriched living buildings, five two-unit dwellings and eliminate the previously approved assisted living facility on Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101. In attendance to represent the proposed request were Brian Drake and Patrick Scordo of GYMO, P.C., and Mark Purcell, Rick Gefell and Christina Schneider of Purcell Construction Corp.

Mr. Drake began by stating that the Planned Development District plan was updated to include several changes recommended by the Planning Board at the August 3, 2010 meeting. He said that the Multi-Family and Phase IV designations have been removed from the plans as there is no longer any future plans for the remaining portion of the site. He also noted that a water line loop to Ives Street and an emergency access road to Ives Street were also included on the PDD plan.

Mr. Mix noted that all of the issues raised by both staff and the Planning Board have been addressed in the revised submission and that the revised plan provides a complete view of the Planned Development District. He said it shows what has been built to date, what is proposed, and also reserves an open space area that could be developed in the future. He noted that any future development in that vacant area would require another zone change or amendment to the PDD. Mr. Mix also noted that as requested by the applicant, the proposed Zone Change Request has been placed on the City Council agenda for their meeting to be held tonight (September 7, 2010), and the City Council is expected to schedule a public hearing for the proposal for September 20, 2010.

Hearing no further discussion on the proposed Zone Change, Mrs. Freda moved to recommend that the City Council approve the Zone Change Request submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to amend Planned Development District #16 to allow two enriched living buildings, five two-unit dwellings and eliminate the previously approved assisted living facility on Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101. The motion was seconded by Mr. Fipps and all voted in favor.

**Excerpt From
Planning Board's
8/3/10 Meeting Minutes**

**ZONE CHANGE AND SITE PLAN APPROVAL
1200 BLOCK OF JEWELL DRIVE,
PARCEL NOS. 14-49-101, 14-49-101.005 AND 14-49-101.101**

The Planning Board then considered a Zone Change Request submitted by Brian J. Drake of GYMO, P.C. on behalf of Purcell Construction Corp. to amend Planned Development District #16 to allow two enriched living buildings, five (5) two-unit dwellings and multi-family housing on Parcel Nos. 14-49-101, 14-49-101.005 and 14-49-101.101. They also discussed a Site Plan Approval Request also submitted by Mr. Drake for the construction of a 13,720 square foot enriched housing facility and give (5) two-unit dwellings totaling 16,070 square feet in the 1200 block of Jewell Drive.

In attendance to represent the Zone Change and Site Plan Approval Request were Patrick Scordo, Brian Drake and Stephen Yaussi of GYMO, P.C. There were also several Board members from Ives Hill Retirement Community in attendance including Martha Boshart, Kate Couch and Jayne Graves.

Mr. Drake began by providing the Planning Board with an overview of the proposals. He said that they are proposing a 13,720 square foot enriched living facility and 5 duplex buildings that would account for 10 additional units. He said that the allowed use on the subject parcels in the Planned Development District (PDD) is currently multi-family which is fine for the duplex units, but that the enriched living facility is different enough to require a zone change. He said they are proposing two different types of duplexes and 24' wide interior roadways for the site. Mr. Drake said that two of the major issues that have risen since the submission of the plans are the looping of the water line and an access road to Ives Street.

He said that representatives from GYMO, Purcell Construction and City Staff met Monday, August 2, 2010, to discuss some of the major issues and the owners now recognize the importance of looping the water line and constructing the access road to Ives Street. He said that the plans would be modified to include those items. He also said that they are proposing to eliminate Phase 4 from the PDD site plan, and they are not currently planning any use other than open space for the remaining portion of the parcel.

Mr. Wayte then asked Captain Todd DeMar of the Fire Prevention Bureau to address the Board regarding fire prevention and emergency access issues. Captain DeMar stated that he was happy to hear that additional access will be provided to the overall development from Ives Street, noting it would be key in the event of an emergency. He said that he is concerned about the proposed gravel road behind the enriched living facility and wonders if it would be properly maintained. He noted that as part of Phase I of the project, a gravel access road for emergencies was provided that links the end of Kieff Drive to Jewell Drive, but that road is not very well maintained. Mr. Scordo said that the owners were hoping to leave the road as a gravel road to avoid the expense of having to pave it. He said that it was his understanding that Code

Enforcement's main concern is that the rear of the building be accessible and that they have provided a 20' wide gravel road to accommodate fire trucks and other emergency vehicles. Captain DeMar said that they really need a hard base around the enriched living facility for several reasons. He said with a paved roadway there is a higher chance that it will be maintained. He also noted that the outriggers for their largest vehicles hold a tremendous amount of weight during operation and a gravel surface might not be sturdy enough to support it. He said that the maintenance track record of the existing access road is not very good and that it is overgrown and has been blocked with dirt piles in the past and does not get plowed in the winter. A general discussion then followed regarding the access road around the new facility. Mr. Scordo noted that as a result of yesterday's meeting with City Staff and today's meeting with the Planning Board, they hope to try to develop some alternatives that will be suitable and acceptable to the City for some of these issues. He said that they plan to come back to the next meeting to discuss them further.

Mr. Wayte said that he has a concern about providing access around the enriched living facility as well and cited a serious fire down state in a similar type of facility. He said that perhaps a different approach to the site layout in that particular case could have saved lives.

Mrs. Freda noted that there were two access issues that have been raised. She said that one is providing the paved surface around the enriched living facility and the other is providing access out to Ives Street. Mrs. Freda asked if it is their desire to have both paved. Captain DeMar said that it is important to the Fire Department to have the enriched living facility road paved but that the remainder of the access drive to Kieff Drive and the one proposed to extend to Ives Street did not need to be paved as they would not be setting up equipment in those areas. He said that a gravel drive with a gate would be sufficient, provided that it is properly maintained.

Mrs. Schneider said that they have discussed several different alternatives on how to provide emergency access to the site. She noted that the site has a lot of rock which may factor into the cost of building the water line and roadways. She said that during the next couple of weeks, they would be evaluating the costs of some of the different options and presenting an alternative to the Planning Board. She noted that there could be a possible option to connect to the IHC parking lot to provide a secondary access. Mr. Wayte noted that he would hate to see something happen in the event of an emergency. Mrs. Schneider addressed the current maintenance efforts along the gravel access drive that links Kieff Drive and Jewell Drive. She reported that she had a meeting with the Ives staff to encourage them to better maintain the gravel access drive. She noted that during approval meetings and the design of the original facility the gravel access was considered important, but after the building was constructed and finally occupied, that the maintenance of the road was lost in the shuffle. She said that there is now an action plan in place to maintain that gravel road from Kieff Drive to Jewell Drive. Captain DeMar said that the second road proposed from the end of Jewell Drive out to Ives Street would be a huge improvement, as is the proposed looped water supply. He said that the water supply is marginal now and improving it will increase the flows in that area.

Mrs. Freda then asked about sidewalks and where people currently walk around the area. Mrs. Schneider said that many of the people walk along the interior driveways as those

driveways have very low traffic and basically only serve the duplex units. Mrs. Freda asked if anything new was proposed on Jewell Drive as a result of the issue raised in the staff reports. Mr. Drake responded that nothing new was proposed and that they hope to leave the sidewalks "as is." He said that there is a sidewalk proposed from the enriched living facility parking lot to the building. Mr. Mix noted that during the meeting held yesterday, Mark Purcell said that additional sidewalks along the Jewell Drive extension would not be a problem. Mr. Scordo noted that yes, along the Jewell Drive extension sidewalks would be okay, but that they plan to use the interior drives for pedestrian traffic in and around the duplexes. Mr. Scordo noted that they would address this issue, along with the other items listed in the report, and submit revised plans to the City.

Mrs. Gervera asked the applicant how enriched living is different from the services currently provided at their existing building. Mrs. Schneider said that the existing building is all independent living and that the staff is there to provide one meal, some limited transportation services and light housekeeping. She said that it is residential living with some support services. She said it is not licensed by the State. She said the new enriched living facility would be licensed by the State and would provide tenants with three meals per day, 24 hour care and would have nurses on site.

Jayne Graves, who is on the Ives Hill Retirement Community Board of Directors, then addressed the Planning Board. She said the enriched living facility is a major breakthrough for Jefferson County and is a very much needed service in this area. Mr. Wayte also commented on the need for this type of facility.

Mrs. Freda asked what the original density for the Planned Development District was and how that compared with the proposed development. Mr. Mix noted that he did not research that in particular, but that it did not really matter anyway in that the Planning Board can set a new density with the revised PDD plan. Mr. Mix noted that the original Planned Development District was created in 1970 and that it was a huge multi-family and townhouse development that covered a larger area. Mr. Mix then described the history of the Planned Development District and the various uses that have been proposed and constructed throughout the years.

A discussion then followed regarding the timelines for approval. In an effort to help expedite the approval and keep the project on track for a fall construction start date, Mr. Mix noted that the City Council could set the public hearing for the zone change on September 7, 2010, for their meeting to be held on September 20, 2010. He said that would allow for the Planning Board to reconsider the revised PDD plan and the revised site plan for the enriched living facilities and duplexes at their September meeting. He said that final approval could be given by the City Council on September 20, 2010.

Mrs. Gervera then said that the owner of the property that fronts Ives Street at the intersection of Barben Avenue was in attendance. Dr. Shahandeh Haghbir of 1250 Ives Street then addressed the Planning Board. Dr. Haghbir asked what the multi-family designation in the plan actually would entail. She wondered if they were large multi-story buildings or smaller one

and two story buildings. She also asked what type of road was proposed to be constructed out to Ives Street. She noted that this road would be built right along her property line.

Mr. Drake responded that the multi-family designation on the plan was being removed and that they were only proposing open space for that portion of the property. Mrs. Schneider said that the road proposed out to Ives Street would be a gravel road to be used for emergency access only. She said that it would be gated and also added that they were looking at other alternatives to provide emergency access to the site rather than constructing this road. Dr. Haghir asked if there would be access to the site during construction along that roadway. Mrs. Schneider said that she was not entirely sure but that there may be a temporary construction entrance from Ives Street.

Mr. Wayte then asked about the timeframe for the proposed project. Mrs. Schneider said that she hoped to be under construction with the duplexes by this fall. She said that the enriched living facility is a longer timeframe with all the necessary approvals and that, more than likely, a spring construction start date would be what they would plan on. She said that the construction timeframe is six months from start to finish. Mrs. Gervera asked if the duplexes already had a waiting list. Mrs. Schneider responded that they do.

Since the applicant agreed to address the various issues raised in the staff report and during the meeting and then come back to the next Planning Board Meeting, Mrs. Gervera moved to table the Zone Change Request and Site Plan Approval Request until the September 7, 2010 meeting. The motion was seconded by Mrs. Freda and all voted in favor.

Public Hearing – 7:30 p.m.

September 15, 2010

To: The Honorable Mayor and City Council

From: Kenneth A. Mix, Planning and Community Development Coordinator

Subject: Abandoning a Portion of Massey Street North Adjacent to
229 Massey Street North

The City Council scheduled a public hearing on the attached resolution for Monday, September 20, 2010, at 7:30 p.m. pursuant to General City Law (GCL) Section 29. The resolution directs the City Manager to remove a 0.123 acre portion of Massey Street North adjacent to 229 Massey Street North as described in Exhibit A from all City maps. In other words, it is to be abandoned as a public street.

The purpose of discontinuing this portion of the street is to prepare for its sale to Stewart's Shop Corp.

GCL Section 29 also requires a report from the Planning Board. The Planning Board reviewed the proposal at its September 7, 2010 meeting and adopted a motion to recommend that the City discontinue this portion of Massey Street North. Attached is a excerpt from its meeting minutes.

September 7, 2010

RESOLUTION

Page 1 of 1

Abandoning a Portion of Massey Street North
Adjacent to 229 Massey Street North

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

Council Member Jeffrey M. Smith

WHEREAS a portion of Massey Street North as described in Exhibit A is outside of the sidewalk and is not needed for street purposes, and

WHEREAS the City of Watertown has no plans to widen the use of Massey Street North to include the described land, and

WHEREAS a public hearing concerning the abandoning of the described portion of Massey Street North was held on September 20, 2010 after due public notice pursuant to General City Law Section 29,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the portion of Massey Street North described in Exhibit A is hereby abandoned, discontinued and closed as a public street, and

BE IT FURTHER RESOLVED that the City Manager Mary M. Corriveau is hereby directed to cause the removal of said portion of Massey Street North from all City maps, "Official" and otherwise, including the Tax Assessment maps.

Seconded by Council Member Joseph M. Butler, Jr.

Exhibit A

All that piece or parcel of land situate, lying and being in the City of Watertown, County of Jefferson and State of New York, being bounded and described as follows:

Beginning at a point marked by a capped iron pin on the west bounds of North Massey Street and lands of the City of Watertown 141.31 feet south of the intersection of said west bounds of North Massey Street with the south bounds of Coffeen Street, said point being the northeast corner of lands of Peter G. Cavallario and Brenda T. Cavallario and the southeast corner of lands of the grantee herein, Stewart's Shops Corp.; running thence along said west bounds of North Massey Street and lands of the City of Watertown, and the east bounds of said lands of Stewart's Shops Corp.

N 23° 05' 24" E 141.31' to a point at the aforementioned intersection of said west bounds of North Massey Street with the south bounds of Coffeen Street, said point being the northeast corner of said lands of Stewart's Shops Corp.; running thence through lands of the City of Watertown

N 23° 05' 24" E 1.22' to a point at the edge of a concrete sidewalk; thence continuing through lands of the City of Watertown and running along the edge of said concrete sidewalk the following seven courses:

S 52° 54' 01" E 24.25' to a point;

along a curve which bears to the right having a central angle of 42°01'06", a radius of 29.63', a length of 21.73' and a chord of S33°05'57"E 21.25' to a point;

S 01° 52' 25" E 9.60' to a point;

S 20° 04' 42" W 5.65' to a point;

S 30° 30' 58" W 42.60' to a point;

S 30° 09' 01" W 33.24' to a point; and

S 30° 37' 25" W 36.31' to a point marked by a capped iron pin;

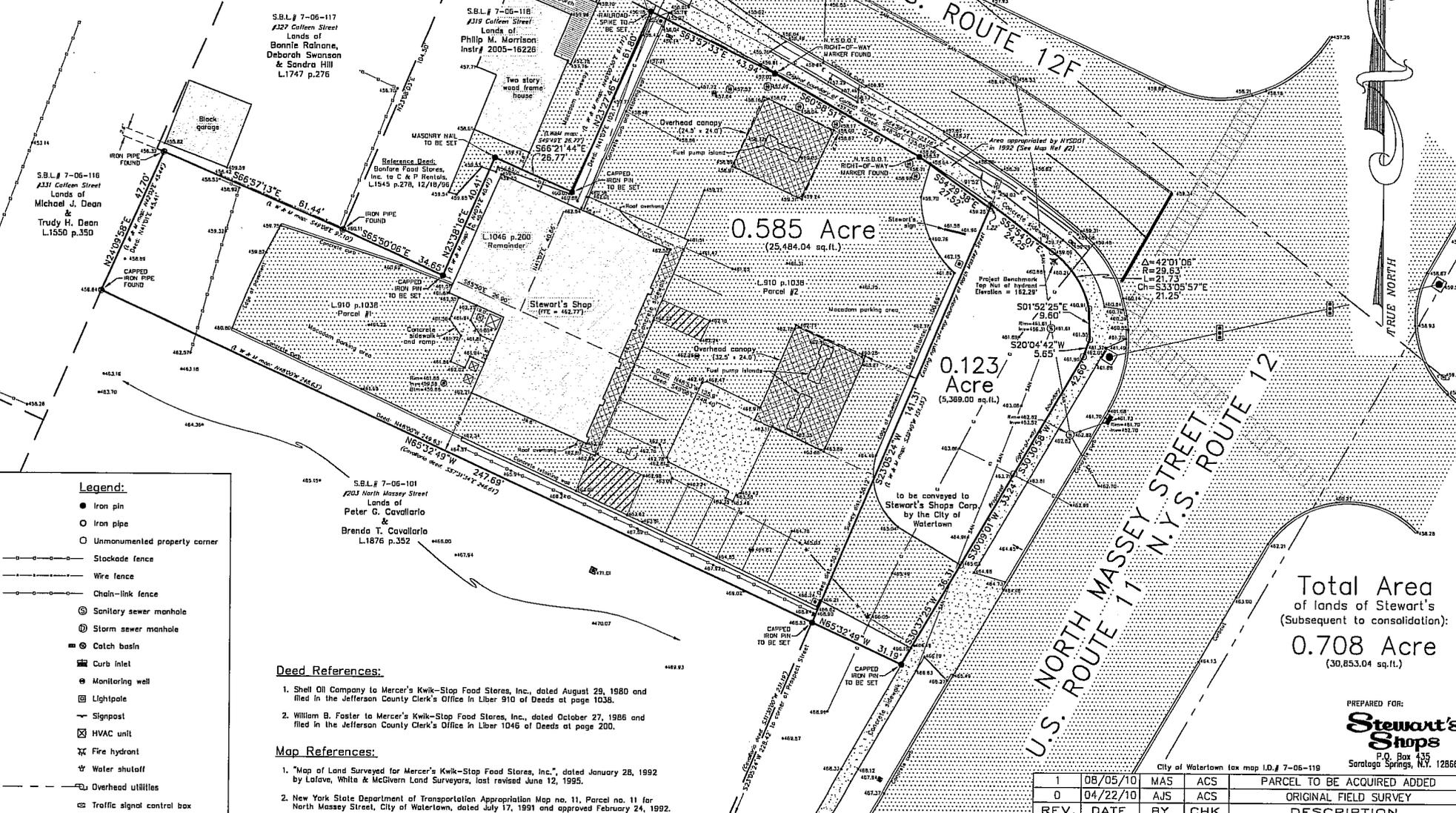
thence continuing through lands of the City of Watertown on an extension of the division line between lands of Stewart's Shops Corp. to the north and the aforementioned lands of Peter G. Cavallario and Branda T. Cavallario to the south

N 65° 32' 49" W 31.19' to the point and place of beginning. Containing 0.123 acre (5,369.00 square feet) of land.

Notes:

- Original street boundaries are mapped as being 4.0 feet from, and parallel to, City of Watertown monumented lines as shown on maps obtained from City Engineer's Office. The original monument located at the southwest corner of the intersection of Coffeen and North Massey Streets was not recovered.
- Elevations shown herein have been adjusted to conform to vertical datum utilized by City of Watertown Engineer's Office on City Monument drawings. Origin of this datum is unknown.
- Underground utilities are shown herein as they were marked on the surface on the date of the field survey and are only as accurate as the markings.
- Survey is subject to all rights-of-way and/or easements of record.

- G — Underground gas line (as marked)
- W — Water line (as marked)
- S — Sanitary sewer line (as marked)
- E — Underground electric line (as marked)



Total Area
of lands of Stewart's
(Subsequent to consolidation):
0.708 Acre
(30,853.04 sq. ft.)

PREPARED FOR:
Stewart's Shops
P.O. Box 435
Saratoga Springs, N.Y. 12866

City of Watertown lex map I.D.# 7-06-119

REV.	DATE	BY	CHK.	DESCRIPTION
1	08/05/10	MAS	ACS	PARCEL TO BE ACQUIRED ADDED
0	04/22/10	AJS	ACS	ORIGINAL FIELD SURVEY

- Legend:**
- Iron pin
 - Iron pipe
 - Unmonumented property corner
 - Stockade fence
 - Wire fence
 - Chain-link fence
 - ⊙ Sanitary sewer manhole
 - ⊙ Storm sewer manhole
 - ⊙ Catch basin
 - ⊙ Curb inlet
 - ⊙ Monitoring well
 - ⊙ Lightpole
 - Signpost
 - ⊙ HVAC unit
 - ⊙ Fire hydrant
 - ⊙ Water shutoff
 - Overhead utilities
 - ⊙ Traffic signal control box

Deed References:

- Shell Oil Company to Mercer's Kwik-Stop Food Stores, Inc., dated August 29, 1980 and filed in the Jefferson County Clerk's Office in Liber 910 of Deeds at page 1038.
 - William B. Foster to Mercer's Kwik-Stop Food Stores, Inc., dated October 27, 1986 and filed in the Jefferson County Clerk's Office in Liber 1046 of Deeds at page 200.
- Map References:**
- "Map of Land Surveyed for Mercer's Kwik-Stop Food Stores, Inc.," dated January 28, 1992 by Lalava, White & McGivern Land Surveyors, last revised June 12, 1995.
 - New York State Department of Transportation Appropriation Map no. 11, Parcel no. 11 for North Massey Street, City of Watertown, dated July 17, 1991 and approved February 24, 1992.

Certifications indicated herein signify that this survey was prepared in accordance with the existing Code of Practice of Land Surveys adopted by the N.Y. State Association of Professional Land Surveyors. Said certifications shall run only to the title insurance company, governmental agency, and lending institution listed herein and to the assignees of the lending institution. Certifications are not transferable to additional institutions or subsequent owners.

Unauthorized alteration or addition to a survey map bearing a licensed land surveyor's seal is a violation of Section 7209, Subdivision 2 of the N.Y. State Education Law. Only copies from the original of this survey marked with an original of the land surveyor's embossed seal shall be considered to be valid copies.

In addition, only copies from the original of this survey marked with an original of the land surveyor's signature in RED shall be considered to be valid copies.

SANTO ASSOCIATES
LAND SURVEYING AND ENGINEERING, P.C.

1 BARNEY ROAD • SUITE 109 • CLIFTON PARK, NY 12065
PHONE: (518) 383-8001 • FAX: (518) 383-8026

© 2010 Santo Associates P.C. All Rights Reserved.
Unauthorized Duplication is a Violation of Applicable Laws.

JEROME C. SCHAUERTER, L.S. LICENSE NO. 048921

**TOPOGRAPHIC SURVEY MAP OF LANDS OF
MERCER'S KWIK-STOP
FOOD STORES, INC.**

AT 229 NORTH MASSEY STREET, WATERTOWN, N.Y. 12861

DRAWN BY: AJS	CITY OF: WATERTOWN	SCALE: 1" = 20'
CHECKED BY: ACS	COUNTY OF: JEFFERSON	DWG. NO.: 7087
DATE: 04/02/10	STATE OF: NEW YORK	REV.: 1

**Excerpt From
Planning Board's
9/7/10 Meeting Minutes**

**RECOMMENDATION – ABANDONMENT OF A PORTION OF THE
MASSEY STREET NORTH RIGHT-OF-WAY**

Mr. Mix began the discussion on this topic by stating that several months ago Stewart's Shop, located at 229 Massey Street North, had submitted a Site Plan to the City for an expansion of their gas canopy and parking lot area. He said the plans showed development into the City right-of-way, which obviously would not work or be allowed. He said that the right-of-way in this area was extremely large because the State Department of Transportation took a lot of property when they rebuilt the Court Street bridge. He said that the State was not sure of the bridge's new alignment at the time and needed extra space in the event the bridge was on a different alignment than it is now. He said the existing roadway is five lanes wide, and the City has no intention to widen it any further, and therefore, the property could be considered surplus. Mr. Mix noted that Stewart's has made an offer to buy a portion of the right-of-way as shown on the attached map. He said that in order to sell a portion of the right-of-way, the City Council has to go through an abandonment procedure and that General City Law provides a process in which to do so. Mr. Mix noted that the City Council has to hold a public hearing and has to get a report on the proposal from the Planning Board.

After a brief discussion regarding the project, Mr. Fipps made a motion recommending that the City Council abandon a portion of the Massey Street right-of-way adjacent to 229 Massey Street North and sell the portion to Stewart's. Mrs. Freda seconded the motion and all voted in favor.

Tabled

September 15, 2010

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Health Insurance Plan Design Changes

During the August 9, 2010 City Council work session, the City's Health Insurance Advisory Committee presented for City Council consideration, a number of plan design changes to the City's Health Insurance Plan. This issue first came to the City Council on February 2, 2009. At that time, the City Council unanimously concurred to hold off considering these proposals until after reviewing the proposed 2009-10 Budget. Following that discussion with the City Council, the Health Insurance Advisory Committee met again and modified their proposal and in November 2009 it came before the City Council, at which time no action was taken.

As a result of discussions that occurred on August 9, 2010, staff was asked to prepare a resolution that incorporates the following changes agreed upon by the City Council: add a National Provider Network; add coverage for Cardiac Rehabilitation; revise Multiple Surgery Benefit and add coverage for Air Ambulance (with protocols).

The attached resolution which incorporates the proposed plan design change was presented to the City Council for consideration at the September 7, 2010 meeting, at which time it was tabled. Staff is still researching to see if a sunset provision can be added to these proposed plan amendments. Therefore I am recommending that this resolution remain on the table.

September 7, 2010

RESOLUTION

Page 1 of 1

Approving Amendments to the City of Watertown Health Insurance Plan Design

Council Member BURNS, Roxanne M.
Council Member BUTLER, Joseph M. Jr.
Council Member MACALUSO, Teresa R.
Council Member SMITH, Jeffrey M.
Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

Introduced by

Council Member Roxanne M. Burns

WHEREAS the City of Watertown provides health insurance for its employees under a self-funded health insurance plan, and

WHEREAS the plan design was negotiated between the City of Watertown and its three Unions at the time the City became self-insured, and

WHEREAS as part of the negotiations the City established a Health Insurance Advisory Committee whose charge is to monitor the health insurance plan and its finances, and as part of those negotiations also established a process for proposing changes to the City's plan structure, and

WHEREAS the City's Health Insurance Advisory Committee has followed the required steps, and made a proposal to the City Council for consideration,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the changes detailed in the Proposed Plan Design Changes document, which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that these proposed design changes will be effective for services provided on or after January 1, 2011.

Seconded by Council Member Teresa R. Macaluso

PROPOSED PLAN DESIGN CHANGES

Packet modified based on feedback received during August 9, 2010 City Council session

Presented by:

City of Watertown Health Insurance Committee

Executive Summary

The City of Watertown Health Insurance Committee presents the following plan changes. The annual cost information included is based on 7/1/08-4/30/09 claims experience and the percentage represents overall cost for the 2008/2009 year.

For further detail on the current and proposed plan benefits, please review the pages following this summary.

Page #	Proposed Plan Change	Projected Plan Impact*	Other Benefits (Not Considered in Cost Estimate)
3	Add a National Provider Network	\$8,020 annual savings (considers 2009/2010 PPO Utilization) <i>.12% Decreased Cost</i>	
4	Add coverage for Cardiac Rehabilitation	\$4,600 annually <i>.07% Increased Cost</i>	Prevent repeat events Prevent future hospital stays Decreased time to return to work Improved overall health and risk reduction
5	Revise Multiple Surgery Benefit	\$65,300 annually <i>1.0% Increased Cost</i>	Decreased costs associated with additional operative sessions Decreased time employees are absent from work
6	Add coverage for Air Ambulance	\$5,800 annually <i>.09% Increased Cost</i>	Decreased risks and costs associated with delayed treatment

*The above illustration and subsequent contents of this presentation represent estimated cost avoidance savings in year one only based on current plan experience, enrollment and trends. Once these savings are in place, the base cost of the plan will be lowered; therefore you will realize the hard dollar savings of these changes year over year. However, cost increases including healthcare inflation will still affect the total cost of the plan. Because healthcare inflation can account for as much as a 10-12% increase per year, consideration of a CPI index to some of the co-payment items would assist in keeping the cost avoidance for in line for future years.

National Provider Network

Current Network

There is opportunity for plan savings by adding a national provider network. It is most cost effective for the plan when members obtain services from network providers. The City of Watertown health plan members currently access the following provider network.

- POMCO Provider Network
- 45,000 providers
- Tri-State Area (NY, NJ, CT)

Proposed Additional Network

In addition to the POMCO network, add a national network that gives members greater access to participating providers. This is especially applicable to retirees and other members who live out of state. With this additional network, members can access the following networks:

POMCO Provider Network	PHCS-Multiplan Provider Network
45,000 providers Tri-State Area (NY, NJ, CT)	600,000 providers Nationwide

Cardiac Rehabilitation

Current Plan Benefits

Physical therapy and respiratory therapy are covered in full under the outpatient hospital benefit. Cardiac rehabilitation is NOT covered by the plan.

Proposed Benefit

Revise the plan to include a benefit for Cardiac Rehabilitation which is considered the standard of care.

Multiple Surgeries

Current Plan Benefits

The Plan will only benefit the most expensive and the second most expensive procedure. The first procedure may be covered at 100% of the Allowed Amount and the second procedure is covered at 50% of the Allowed Amount. There are no benefits for subsequent procedures.

Proposed Plan Language

The first procedure may be covered at 100% of the Allowed Amount and subsequent procedures are covered at 50% of the Allowed Amount. If the multiple surgical procedures are for the same condition or if the procedures are performed by physicians of different specialties for treatment of different conditions, the benefit for the subsequent procedures will not be reduced.

Air Ambulance

Current Plan Benefits

Benefits are available for land ambulance transportation when found Medically Necessary. Ambulance transportation benefits are available if the following criteria are met:

- When member could not have been safely transported by other means
- When medically necessary or ordered by a Physician, a police officer or firefighter
- When transported to the nearest facility that can treat the patient's condition
- When transferred from one hospital to another hospital because it is medically necessary

Proposed Benefit

Cover air ambulance according to the provisions applicable to current coverage for land ambulance. Air ambulance may also be reimbursed if the location from which the patient required emergency transportation was inaccessible by land ambulance.

- When medically necessary
- When member could not have been safely transported by other means
- When transported to the nearest facility that can treat the patient's condition
- When transferred from one hospital to another hospital because it is medically necessary

September 15, 2010

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Federal Medical Assistance Percentages Contingency Plan

On August 2, 2010, Governor David A. Paterson announced passage of legislation that would implement a plan to keep the State budget in balance in the event the Federal government did not extend enhanced Federal Medical Assistance Percentages (FMAP) through the end of the current fiscal year.

New York State assumed enhanced FMAP funding in its current year budget after legislation that would have provided the funding passed both houses of Congress. The extension of FMAP was expected to provide \$1.085 billion to the State in the 2010-11 fiscal year, as well as an additional \$1.06 billion in 2011-12 and approximately \$800 million to New York City and counties in the first six months of 2011.

The plan ultimately approved by the federal government included an FMAP extension but at a lesser amount than what the State's financial plan had assumed. The State is now looking to make up an approximately \$280 million shortfall. On Tuesday, the details of the FMAP Contingency Reduction Plan were released indicating that affected payments will be reduced by 1.1% beginning September 16, 2010.

The first impact the City of Watertown will see is a 1.1% reduction in our AIM funding for the payments due to the City in December 2010 and March 2011. This means an additional reduction of \$36,475 in AIM funding for State Fiscal Year 2010-2011. During FY 2008-09 the City received \$5,090,176 in AIM funding, during the upcoming year we will receive \$4,799,192, which represents a reduction of \$290,984 or a 5.72% reduction. Attached is a spreadsheet that details the changes in State aid to the City over the past couple of years.

The City has been told that CHIPS funding will not be affected by this reduction plan, however the State is still working through the implementation of this plan, and I anticipate that over the next couple of weeks we will learn what the impact of its implementation will have on other funding we receive from the State.

<u>Payment Month</u>	<u>FY 08-09</u>	<u>SFY 09-10</u> <u>reduction #1</u>	<u>FY 09-10</u>	<u>SFY 10-11</u> <u>reduction #1</u>	<u>FY 10-11</u>	<u>SFY 10-11</u> <u>reduction #2</u>	<u>Adjusted FY 10-</u> <u>11</u>
December	\$ 714,869	\$ (101,803)	\$ 613,066	\$ (152,706)	\$ 460,360	\$ (5,064)	\$ 455,296
March	\$ 2,855,551	\$ -	\$ 2,855,551	\$ -	\$ 2,855,551	\$ (31,411)	\$ 2,824,140
June	\$ 1,519,756	\$ -	\$ 1,519,756	\$ -	\$ 1,519,756	\$ -	\$ 1,519,756
Total	\$ 5,090,176	\$ (101,803)	\$ 4,988,373	\$ (152,706)	\$ 4,835,667	\$ (36,475)	\$ 4,799,192

Total FY 10/11 reduction	\$ (189,181)	-3.79% reduction
FY 09/10 AIM	\$ 4,988,373	
Total FY 09/10 and FY 10/11 reductions	\$ (290,984)	-5.72% reduction
FY 08/09 AIM	\$ 5,090,176	

Find Your City

2010-11 Aid and Incentives for Municipalities (AIM) Cities, Sorted by County

County	Municipality	2009-10 AIM Funding	2010-11 Enacted Budget Reduction ⁽¹⁾	2010-11 Initial AIM Funding	FMAP Contingency Reduction ⁽²⁾	2010-11 Revised AIM Funding
Albany	ALBANY	\$13,692,858	(\$684,643)	\$13,008,215	(\$143,090)	\$12,865,125
Albany	COHOES	\$2,887,748	(\$57,755)	\$2,829,993	(\$31,130)	\$2,798,863
Albany	WATERVLIET	\$1,314,343	(\$65,717)	\$1,248,626	(\$13,735)	\$1,234,891
Broome	BINGHAMTON	\$9,737,955	(\$194,759)	\$9,543,196	(\$104,975)	\$9,438,221
Cattaraugus	OLEAN	\$2,334,539	(\$23,581)	\$2,310,958	(\$25,421)	\$2,285,537
Cattaraugus	SALAMANCA	\$987,846	(\$30,240)	\$957,606	(\$10,534)	\$947,072
Cayuga	AUBURN	\$5,175,523	(\$52,278)	\$5,123,245	(\$39,477)	\$5,083,768
Chautauqua	DUNKIRK	\$1,711,118	(\$85,556)	\$1,625,562	(\$17,881)	\$1,607,681
Chautauqua	JAMESTOWN	\$4,965,773	(\$248,289)	\$4,717,484	(\$51,892)	\$4,665,592
Chemung	ELMIRA	\$4,820,625	(\$96,413)	\$4,724,212	(\$51,966)	\$4,672,246
Chenango	NORWICH	\$1,146,807	(\$22,936)	\$1,123,871	(\$12,362)	\$1,111,509
Clinton	PLATTSBURGH	\$2,876,844	(\$143,842)	\$2,733,002	(\$30,063)	\$2,702,939
Columbia	HUDSON	\$1,533,940	(\$30,679)	\$1,503,261	(\$16,536)	\$1,486,725
Cortland	CORTLAND	\$2,192,027	(\$109,601)	\$2,082,426	(\$22,906)	\$2,059,520
Dutchess	BEACON	\$1,669,794	(\$83,490)	\$1,586,304	(\$17,449)	\$1,568,855
Dutchess	POUGHKEEPSIE	\$4,613,607	(\$230,680)	\$4,382,927	(\$48,212)	\$4,334,715
Erie	BUFFALO	\$167,337,178	(\$1,690,274)	\$165,646,904	(\$1,070,136)	\$164,576,768
Erie	LACKAWANNA	\$6,546,879	(\$66,130)	\$6,480,749	(\$42,156)	\$6,438,593
Erie	TONAWANDA	\$2,739,531	(\$54,791)	\$2,684,740	(\$29,532)	\$2,655,208
Fulton	GLOVERSVILLE	\$2,424,201	(\$48,484)	\$2,375,717	(\$26,133)	\$2,349,584
Fulton	JOHNSTOWN	\$1,462,264	(\$29,245)	\$1,433,019	(\$15,764)	\$1,417,255
Genesee	BATAVIA	\$1,863,631	(\$57,050)	\$1,806,581	(\$19,872)	\$1,786,709
Herkimer	LITTLE FALLS	\$911,772	(\$18,235)	\$893,537	(\$9,829)	\$883,708
Jefferson	WATERTOWN	\$4,988,372	(\$152,705)	\$4,835,667	(\$36,475)	\$4,799,192
Madison	ONEIDA	\$1,790,707	(\$35,814)	\$1,754,893	(\$19,304)	\$1,735,589
Monroe	ROCHESTER	\$91,293,532	(\$922,157)	\$90,371,375	(\$336,208)	\$90,035,167
Montgomery	AMSTERDAM	\$2,980,036	(\$30,102)	\$2,949,934	(\$24,761)	\$2,925,173
Nassau	GLEN COVE	\$3,081,878	(\$154,094)	\$2,927,784	(\$32,206)	\$2,895,578
Nassau	LONG BEACH	\$3,302,020	(\$68,083)	\$3,233,937	(\$16,892)	\$3,217,045
Niagara	LOCKPORT	\$2,878,631	(\$143,932)	\$2,734,699	(\$30,082)	\$2,704,617
Niagara	NIAGARA FALLS	\$18,734,214	(\$374,684)	\$18,359,530	(\$201,955)	\$18,157,575
Niagara	NORTH TONAWANDA	\$4,564,065	(\$91,281)	\$4,472,784	(\$49,201)	\$4,423,583
Oneida	ROME	\$9,563,065	(\$191,261)	\$9,371,804	(\$103,090)	\$9,268,714
Oneida	SHERRILL	\$404,763	(\$20,238)	\$384,525	(\$4,230)	\$380,295
Oneida	UTICA	\$16,791,715	(\$169,614)	\$16,622,101	(\$182,843)	\$16,439,258
Onondaga	SYRACUSE	\$74,333,228	(\$750,840)	\$73,582,388	(\$359,343)	\$73,223,045
Ontario	CANANDAIGUA	\$1,215,633	(\$60,782)	\$1,154,851	(\$12,704)	\$1,142,147
Ontario	GENEVA	\$2,109,796	(\$105,490)	\$2,004,306	(\$22,048)	\$1,982,258

2010-11 Aid and Incentives for Municipalities (AIM)

Cities, Sorted by County

County	Municipality	2009-10 AIM Funding	2010-11 Enacted Budget Reduction ⁽¹⁾	2010-11 Initial AIM Funding	FMAP Contingency Reduction ⁽²⁾	2010-11 Revised AIM Funding
Orange	MIDDLETOWN	\$2,938,692	(\$146,935)	\$2,791,757	(\$30,710)	\$2,761,047
Orange	NEWBURGH	\$4,848,886	(\$242,444)	\$4,606,442	(\$50,671)	\$4,555,771
Orange	PORT JERVIS	\$1,480,533	(\$29,611)	\$1,450,922	(\$15,960)	\$1,434,962
Oswego	FULTON	\$1,766,826	(\$88,341)	\$1,678,485	(\$18,463)	\$1,660,022
Oswego	OSWEGO	\$2,662,694	(\$133,135)	\$2,529,559	(\$27,826)	\$2,501,733
Otsego	ONEONTA	\$2,349,730	(\$46,995)	\$2,302,735	(\$25,330)	\$2,277,405
Rensselaer	RENSSELAER	\$1,202,530	(\$36,813)	\$1,165,717	(\$5,189)	\$1,160,528
Rensselaer	TROY	\$12,927,988	(\$258,560)	\$12,669,428	(\$139,364)	\$12,530,064
Saratoga	MECHANICVILLE	\$697,374	(\$13,947)	\$683,427	(\$7,517)	\$675,910
Saratoga	SARATOGA SPRINGS	\$1,791,676	(\$89,584)	\$1,702,092	(\$18,723)	\$1,683,369
Schenectady	SCHENECTADY	\$11,797,825	(\$235,957)	\$11,561,868	(\$127,180)	\$11,434,688
St. Lawrence	OGDENSBURG	\$1,855,708	(\$92,785)	\$1,762,923	(\$19,393)	\$1,743,530
Steuben	CORNING	\$1,589,854	(\$48,669)	\$1,541,185	(\$11,026)	\$1,530,159
Steuben	HORNELL	\$1,561,123	(\$15,769)	\$1,545,354	(\$16,999)	\$1,528,355
Tompkins	ITHACA	\$2,835,051	(\$141,753)	\$2,693,298	(\$29,627)	\$2,663,671
Ulster	KINGSTON	\$3,333,284	(\$166,664)	\$3,166,620	(\$34,833)	\$3,131,787
Warren	GLENS FALLS	\$1,745,310	(\$87,266)	\$1,658,044	(\$18,239)	\$1,639,805
Westchester	MOUNT VERNON	\$7,771,514	(\$388,576)	\$7,382,938	(\$81,212)	\$7,301,726
Westchester	NEW ROCHELLE	\$6,693,312	(\$334,666)	\$6,358,646	(\$69,945)	\$6,288,701
Westchester	PEEKSKILL	\$2,410,385	(\$120,519)	\$2,289,866	(\$25,189)	\$2,264,677
Westchester	RYE	\$1,311,987	(\$65,599)	\$1,246,388	(\$13,711)	\$1,232,677
Westchester	WHITE PLAINS	\$5,719,243	(\$117,922)	\$5,601,321	(\$26,570)	\$5,574,751
Westchester	YONKERS	\$111,943,812	(\$1,130,745)	\$110,813,067	(\$389,109)	\$110,423,958
	Cities Total	\$676,213,795	(\$11,429,000)	\$664,784,795	(\$4,485,179)	\$660,299,616

Notes:

- (1) - The 2010-11 enacted budget reduction is either 2 percent or 5 percent from 2009-10 Enacted Budget levels (i.e., prior to the 2009-10 Deficit Reduction Plan), depending on whether AIM was more than or less than 10 percent of the municipality's total revenues.
- (2) - The FMAP contingency reduction equals 1.1 percent of all payments scheduled to be made on or after September 16, 2010, as required pursuant to Chapter 313 of the Laws of 2010, which established the contingency plan to make up for the loss of about \$280 million in anticipated Federal Medical Assistance Percentages (FMAP) funding.

September 14, 2010

To: The Honorable Mayor and City Council
From: Mary M. Corriveau, City Manager
Subject: Sales Tax Revenue – August 2010

The City has received the monthly sales tax revenue numbers from Jefferson County. In comparison to August 2009, the July 2010 sales tax numbers are up \$138,260 or 12.43%, actual to actual. In comparison to our budget projection for the month of July, the sales tax numbers are up \$132,643 or 11.87%.

The City has received two monthly payments so far this fiscal year. Year to date, actual to actual receipts are up \$378,054 or 17.45%. Year to date, budget to actual receipts are up \$367,112 or 16.86%. Both the July and August payments are estimated, and may or may not reflect the true revenue to the City once the quarterly adjustments are made in the October payment.

The attached spreadsheet shows the detail collections for this year and last year, along with the budgeted numbers. Collections for Fiscal Year's 2007-2008 and 2008-2009 have been added for historical prospective.

Sales Tax Collections

through August 2010

	<u>Actual 2007-08</u>	<u>Actual 2008-09</u>	<u>Actual 2009-10</u>	<u>Actual 2010-11</u>	<u>Variance</u>	<u>% Inc/(Dec)to Prior Year</u>
July	\$ 1,202,556	\$ 1,276,583	\$ 1,054,235	\$ 1,294,030	\$ 239,795	22.75%
August	\$ 1,150,965	\$ 1,268,437	\$ 1,111,868	\$ 1,250,127	\$ 138,260	12.43%
September	\$ 1,777,545	\$ 1,529,231	\$ 1,805,736	\$ -	\$ -	0.00%
October	\$ 1,041,228	\$ 1,103,267	\$ 1,081,394	\$ -	\$ -	0.00%
November	\$ 1,089,851	\$ 1,106,240	\$ 1,056,203	\$ -	\$ -	0.00%
December	\$ 1,554,307	\$ 1,413,485	\$ 1,606,018	\$ -	\$ -	0.00%
January	\$ 1,055,815	\$ 1,073,261	\$ 1,103,884	\$ -	\$ -	0.00%
February	\$ 925,894	\$ 843,971	\$ 921,272	\$ -	\$ -	0.00%
March	\$ 1,591,250	\$ 1,458,063	\$ 1,572,098	\$ -	\$ -	0.00%
April	\$ 1,044,484	\$ 954,271	\$ 1,121,188	\$ -	\$ -	0.00%
May	\$ 1,070,945	\$ 960,159	\$ 1,079,512	\$ -	\$ -	0.00%
June	\$ 1,689,660	\$ 1,479,763	\$ 1,709,687	\$ -	\$ -	0.00%
YTD	<u>\$ 15,194,501</u>	<u>\$ 14,466,732</u>	<u>\$ 15,223,095</u>	<u>\$ 2,544,157</u>	<u>\$ 378,054</u>	<u>17.45%</u>

	<u>Original Budget 2010-11</u>	<u>Actual 2010-11</u>	<u>Variance</u>	<u>%</u>
July	\$ 1,059,561	\$ 1,294,030	\$ 234,469	22.13%
August	\$ 1,117,485	\$ 1,250,127	\$ 132,643	11.87%
September	\$ 1,814,859	\$ -	\$ -	0.00%
October	\$ 1,086,857	\$ -	\$ -	0.00%
November	\$ 1,061,538	\$ -	\$ -	0.00%
December	\$ 1,614,131	\$ -	\$ -	0.00%
January	\$ 1,109,461	\$ -	\$ -	0.00%
February	\$ 925,926	\$ -	\$ -	0.00%
March	\$ 1,580,040	\$ -	\$ -	0.00%
April	\$ 1,126,852	\$ -	\$ -	0.00%
May	\$ 1,084,966	\$ -	\$ -	0.00%
June	\$ 1,718,325	\$ -	\$ -	0.00%
YTD	<u>\$ 15,300,000</u>	<u>\$ 2,544,157</u>	<u>\$ 367,112</u>	<u>16.86%</u>

Fred C. Benedetto
227 Elm Street
Watertown, New York
13601-4324
315-788-2183
arbittor@aol.com



September 13, 2010

Ms. Mary M. Corriveau, Manager
Watertown City Hall
Washington Street
Watertown, New York 13601

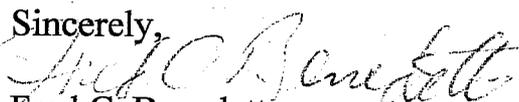
Dear Ms. Corriveau,

Re: 26th Bravo Italiano Festival

On behalf of the Officers and members of the Italian American Civic Association we thank the city of Watertown and the council for there continual support of the Bravo Italiano Festival.

In addition, a special thanks to supervisor Jamie St. Croix and the employees at the Fairgrounds Arena. They are most supportive and cooperative during the set-up and the clean up of the festival.

Sincerely,


Fred C. Benedetto
Committee member

CC: Thomas Bruno President
Jamie St. Croix, supervisor
file

DEVELOPMENT AUTHORITY OF THE NORTH COUNTRY



25th Anniversary Open House

Saturday, September 18
10 AM to 2 PM

Solid Waste Management Facility
Route 177, Rodman, New York

COME JOIN THE FUN!

- Fun Activities for the Kids
- Environmental Displays & Presentations
- Bus Tours
- Nature Walks
- Live Birds of Prey
- Touch-A-Truck



September 14, 2010

To: The Honorable Mayor and City Council

From: Mary M. Corriveau, City Manager

Subject: Online Auction with Auctions International Inc.,
Surplus Vehicles

The City of Watertown has four surplus vehicles for which the City Purchasing Agent Robert J. Cleaver is requesting authorization to utilize the online auction for sale of these vehicles. I have attached Mr. Cleaver's memorandum for your review. If the City Council approves this request, a resolution with a copy of the Agreement with Auctions International Inc., will be prepared for the next City Council meeting.



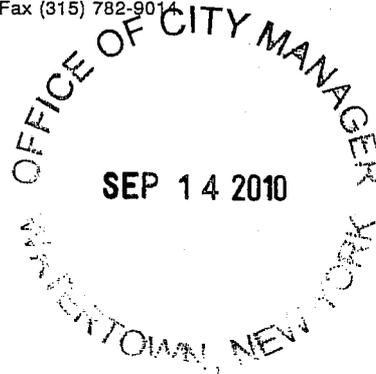
CITY OF WATERTOWN, NEW YORK

ROOM 205, MUNICIPAL BUILDING
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601
Tel. (315) 785-7749 • Fax (315) 782-9014

ROBERT J. CLEAVER
PURCHASING AGENT

September 13, 2010

To: Mary Corriveau
From: Robert J. Cleaver
Subject: Surplus Vehicle Auction



The Purchasing Department is requesting City Council's permission to auction the following vehicles via Auction's International's online website:

POLICE DEPARTMENT

2005 Ford Crown Vic, Gas, V8	Vin # 2FAHP71W75X126722	Mileage 111,867
2005 Ford Crown Vic, Gas, V8	Vin # 2FAHP71W85X126731	Mileage 93,561
2003 Chevrolet Impala, Gas, V6	Vin # 2G1WF55K539292697	Mileage 110,504

WATER DEPARTMENT

2001 Dodge Ram 3/4- ton Pickup Truck, Gas, Vin 3B6KC26Z61M267261 Mileage 63,997

The City utilized Auction International last year to dispose of DPW's 1993 Sewer Vac that netted the City \$29,100.00. Trade-in value for that vehicle, as quoted by a dealer, was placed at \$14,000.00

Previous trade-in values from Warnock Fleet Leasing for our police vehicles ranged in value from \$500 per vehicle to \$1,500. Our expectations are to exceed those values.

This request is for Council to authorize the Purchasing Department to accept the highest offer at time of sale provided the offer meets or exceeds the estimated trade-in values. All sales are at buyer's premium.

cc: Jim Mills, Comptroller
Joe Goss, Police Chief
Gary Pilon, Water Superintendent