

**CITY COUNCIL MEETING
CITY OF WATERTOWN
September 20, 2010
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

PRESENT: **COUNCIL MEMBER ROXANNE M. BURNS
COUNCIL MEMBER JOSEPH M. BUTLER, JR.
COUNCIL MEMBER TERESA R. MACALUSO
COUNCIL MEMBER JEFFREY M. SMITH
MAYOR GRAHAM**

ALSO PRESENT: **MARY M. CORRIVEAU, CITY MANAGER
JAMES BURROWS, CITY ATTORNEY**

City Staff Present: Ken Mix, Kurt Hauk, Gene Hayes, Bob Cleaver, Chief Herman, Chief Goss, Jim Mills, Brian Phelps

The City Manager presented the following reports to the Council:

- 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
- 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
- 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
- No. 4 - 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
- No. 5 - 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
- No. 6 - Authorizing Sale of Real Property, Known as 523 Jefferson Street to A. Brown Properties LLC, 248 High Street, Watertown, New York 13601
- No. 7 - Authorizing Sale of Real Property, Known as 89 Alexandria Avenue to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- No. 8 - Authorizing Sale of Real Property, Known as 90 - 93 Alexandria Avenue to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- No. 9 - Authorizing Sale of Real Property, Known as 425 Court Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- 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

- No. 11 - Authorizing Sale of Real Property, Known as 111 Rear Scio Street to Michael Goerger, 45 Church Street Alexandria Bay, New York 13607
- No. 12 - Authorizing Sale of Real Property, Known as 33 Bk Stuart Street to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- No. 13 - Authorizing Sale of Real Property, Known as 35 Stuart Street to Ray E. Worcester, 152 Winthrop Street, Watertown, New York 13601
- 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
- No. 15 - Authorizing Sale of Real Property, Known as VL-4 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- No. 16 - Authorizing Sale of Real Property, Known as VL-5 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- No. 17 - Authorizing Sale of Real Property, Known as VL-6 Water Street to Mahmut Tandogan, 4 Knoxville Court, Groton, Connecticut 06340
- No. 18 - Authorizing Sale of Real Property, Known as 59 Woodley Street to Anthony Garcia, 917 Salina Street, Watertown, New York 13601
- No. 19 - Authorizing Sale of Real Property, Known as 60 Woodley Street to Anthony Garcia, 917 Salina Street, Watertown, New York 13601
- No. 20 - Approving Amendment No. 76 to the Management and Management Confidential Pay Plan
- No. 21 - Approving Agreement for Bulk Rental of Ice Time at the Watertown Municipal Arena, Watertown Hockey Association
- No. 22 - Accepting Bid for the Rehabilitation of the Water Treatment Plant's Dosing Station Dam, Acts II Construction, Inc.
- No. 23 - Re-Adoption of Fiscal Years 2010-11 through 2014-2015 Capital Budget
- 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
- 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
- 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
- No. 27 - 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
- No. 28 - 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

- No. 29 –Public Hearing 7:30 p.m. Resolution Approving Option Agreement Extension – City Center Industrial Park
- No. 30 -7:30 p.m. Public Hearing 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
- No. 31 - 7:30 p.m. Public Hearing Resolution Abandoning a Portion of Massey Street North Adjacent to 229 Massey Street North
- No. 32 -Tabled -Resolution Approving Amendments to the City of Watertown Health Insurance Plan Design
- No. 33 -Federal Medical Assistance Percentages Contingency Plan
- No.34 -Sales Tax Revenue – August 2010
- No. 35 -26th Bravo Italiano Festival
- No. 36 -Development Authority of the North Country’s 25th Anniversary Open House
- No. 37 - Online Auction With Auctions International, Inc., Surplus Vehicles
- No. 38 – Executive Session - Litigation

COMPLETED REPORTS ON FILE IN THE OFFICE OF THE CITY CLERK

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of September 7, 2010 was dispensed and accepted as written by motion of Council Member Burns, seconded by Council Member Smith and carried with all voting in favor thereof.

Mayor Graham presented Certificates of Public Service from the New York State Conference of Mayors to City of Watertown Employees Completing 25 Years or More of Service. Receiving 25 year awards were David Burns, David Lachenauer, Gary Comins, Joseph Donoghue, Mark Long and Howard Schnettler. Ray Barden and Jayme St. Croix received awards for 35 years of service. Mayor Graham also mentioned that Mrs. Corriveau was also completing 25 years as well.

COMMUNICATIONS

No communications were received.

PRIVILEGE OF THE FLOOR

No one spoke.

PUBLIC HEARINGS

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING ON APPROVING THE OPTION AGREEMENT EXTENSION WITH WATERTOWN LOCAL DEVELOPMENT CORPORATION FOR CITY CENTER INDUSTRIAL PARK.

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING ABANDONING A PORTION OF MASSEY STREET NORTH ADJACENT TO 229 MASSEY STREET NORTH.

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

AT 7:30 P.M. MAYOR GRAHAM ASKED THE CITY CLERK TO READ THE NOTICE OF PUBLIC HEARING ON AMENDING 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. 14-19-101, 14-49-101.005 AND 14-49-101.101

MAYOR GRAHAM DECLARED THE HEARING OPEN

No one spoke.

MAYOR GRAHAM DECLARED THE HEARING CLOSED.

RESOLUTIONS

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

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

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 COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

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

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 COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMTIH

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER TERESA R. MACALUSO

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

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 COUNCIL MEMBER ROXANNE M. BURNS AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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 COUNCIL MEMBER JEFFREY M. SMITH AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Butler asked if this would impact this year's operating budget.

Mrs. Corriveau and Mr. Mills advised that it would not.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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

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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

INTRODUCED BY COUNCIL MEMBER ROXANNE M. BURNS

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,

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 COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Smith referred to the various options that were available when this was bid out. He asked how the SEQRA could be done if Council doesn't know which one they will be approving.

Mr. Hauk advised that the project is intact as bid.

Attorney Burrows advised that, while he is not familiar with the specifics, the long form SEQRA outlines the entire project and meets the responsibility of Council taking a hard look at it.

INTRODUCED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR.

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 meeting held on 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)
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, 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 COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA

Prior to the vote on the foregoing resolution, Council Member Butler asked about the location of the access road and Planning Board's concerns about the lack of sidewalks, as well as the Fire Department's concern with the gravel road way.

Mr. Mix explained the location of the access road and the fact that the pavement will be continued on to Jewell Drive around the bend and come in from the intersection of Barben and Ives. He explained that the road has to be designed to specs approved by the City Engineer. He also commented that the base holds up a vehicle, not the pavement. Mr. Mix explained that the sidewalk concerns have been resolved.

THE RESOLUTION "APPROVING OPTION AGREEMENT EXTENSION WITH WATERTOWN LOCAL DEVELOPMENT CORPORATION FOR CITY CENTER INDUSTRIAL PARK" WAS PRESENTED TO COUNCIL (Introduced to Council on September 7, 2010; public hearing held this evening; appears in its entirety on page 180 of the 2010 Minutes Book)

Prior to the vote on the foregoing resolution, Mayor Graham asked Attorney Burrows if he should abstain from voting due to being president of the WLDC.

Attorney Burrows remarked that disclosing his membership on the board is sufficient.

Council Member Burns remarked that it makes sense to continue with this agreement.

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA

THE RESOLUTION “ABANDONING A PORTION OF MASSEY STREET NORTH ADJACENT TO 229 MASSEY STREET NORTH” WAS PRESENTED TO COUNCIL (Introduced to Council on September 7, 2010; public hearing held this evening; appears in its entirety on page 180 of the 2010 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING RESOLUTION AND CARRIED WITH ALL VOTING YEA

NO MOTION WAS MADE TO TAKE FROM THE TABLE THE RESOLUTION “APPROVING AMENDMENTS TO THE CITY OF WATERTOWN HEALTH INSURANCE PLAN DESIGN” (Introduced to Council on September 7, 2010; tabled; appears in its entirety on page 179 of the 2010 Minutes Book)

ORDINANCES

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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.

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 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
- (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.

SECONDED BY COUNCIL MEMBER JOSEPH M. BUTLER, JR. AND CARRIED WITH ALL VOTING YEA

UNANIMOUS CONSENT MOVED BY MOTION OF COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

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 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, 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 COUNCIL MEMBER JOSEPH M. BUTLER, JR.

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO SCHEDULE A PUBLIC HEARING ON THE FOREGOING ORDINANCE FOR MONDAY, OCTOBER 4, 2010 AT 7:30 P.M.

MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEA

THE 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 NO. 14-40-101, 14-49-101.005 AND 14-49-101.101 WAS PRESENTED TO COUNCIL (Introduced on September 7, 2010; public hearing held this evening; appears in its entirety on page 181 of the 2010 Minutes Book)

AT THE CALL OF THE CHAIR VOTE WAS TAKEN ON THE FOREGOING ORDINANCE AND CARRIED WITH ALL VOTING YEA

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COUNCIL DISCUSSED THE FOLLOWING TOPICS:

Online Auction With Auctions International, Inc., Surplus Vehicles

Council concurred to have a resolution prepared for the next meeting for this online auction.

Noise Complaint

Council Member Butler advised that he had received a noise complaint from a resident in the 800 block of Washington Street, across from the hospital. The noise is coming from the hospital's ventilation system. It is a roaring noise from the top of the building.

Mrs. Corriveau responded that Council Member Macaluso had received the same complaint and had contacted her. She, in turn, spoke with Tom Johnson, who was at SMC. He spoke with the HAVC people and the maintenance people, as well as Mr. Brooks. Mr. Johnson was going to contact the complainants to have them phone him when they hear the noise again.

Council Member Macaluso stated that she could hear it from her house.

J B Wise Bids

Council Member Smith asked about the status of these bids.

Mrs. Corriveau advised that they were opened last week. The City is sending out an addendum this week and is hoping to have it back for the Oct. 4th meeting.

JCIDA Uniform Tax Exemption Policy

Mayor Graham expressed his displeasure with this proposed document and stated that he could not support it.

Mrs. Corriveau advised that Council will need to discuss it at the next meeting in order to meet the time frame.

Attorney Burrows answered question posed by Council concerning this and advised that JCIDA technically doesn't need approval from the entities, although they have indicated that they want it.

Dog Licensing

Mrs. Corriveau commented that she and Mrs. Dutton would be attending a meeting on Tuesday, concerning dog licensing changes that will occur in January 2011 and how they will be handled in the City and the towns.

Municipal Electric and Gas Alliance

Mrs. Corriveau advised that the City will be supplying them information about our consumption.

NYSERDA Meeting

Mrs. Corriveau advised that she met with NYSERDA last week.

Webinars

Mrs. Corriveau explained that in an effort to use training money wisely, webinars are being used for staff training. Recently, webinars were held in dealing with hostile customers and sustainable communities greening up their fleet. On October 7th, one will be held on building energy efficiency. These webinars maximize training dollars.

Ribbon Cutting

There will be a ribbon cutting on September 30th at 122 Ten Eyck Street.

The Spartan Brigade

The 3rd Infantry Brigade Combat Team will host “Day In The Life of A Spartan Soldier” on October 1st at Fort Drum from 10 a.m. to 5 p.m. This is an invitation to meet the soldiers and observe their training.

Managing Local Government

This day-long event will be held at SUNY Potsdam on October 12th.

Annual Fall Drop Off

The City’s annual fall drop off will be held on October 23rd.

EXECUTIVE SESSION

MOTION WAS MADE BY COUNCIL MEMBER SMITH TO MOVE INTO EXECUTIVE SESSION TO DISCUSS LITIGATION. MOTION WAS SECONDED BY COUNCIL MEMBER BUTLER AND CARRIED WITH ALL VOTING YEAS

Council moved into Executive Session at 7:45p.m.

Council reconvened at 8:45 p.m.

The following resolution was presented to Council following executive session:

INTRODUCED BY COUNCIL MEMBER JEFFREY M. SMITH

WHEREAS, certain premises owned by Ontario Apartments LLC in the City of Watertown at 1269 Coffeen Street, and also known as parcel number 8-40-101 on the assessment roll and map of the City is assessed upon the assessment roll of the City for the payment of taxes starting with tax year 2006 as follows:

Tax Year	Assessed Value
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2006	\$8,000,000.00
2007	\$9,090,300.00
2008	\$9,090,300.00
2009	\$9,090,300.00
2010	\$9,090,300.00

WHEREAS, Ontario Apartments LLC has heretofore duly instituted in the Supreme Court proceedings to review the assessment and the determination of the Board of Assessment Review of the City for the tax years 2006-2010; and

WHEREAS, the parties after exchange of trial appraisals have agreed that the assessment shall be adjusted to \$6,850,000.00 for tax year 2006; and

WHEREAS, the parties have agreed that the assessment for tax year 2007 shall be adjusted to \$7,500,000.00; and

WHEREAS, the parties have agreed that the assessment for the subject property for 2008 through 2010 shall be set at \$8,100,000.00; and

WHEREAS, in consideration of the City adjusting and/or setting the assessment as set forth above, the Petitioner agrees not to commence tax assessment review proceedings pursuant to Article 7 of the Real Property Tax Law of the State of New York or under any other applicable provisions of law for tax years 2011 and 2012 except as otherwise authorized by RPTL Section 727; and

WHEREAS, the City reserves the right to adjust the assessment on the subject property for tax years 2011 and 2012 as authorized by RPTL Section 727; and

WHEREAS, similarly the Petitioner shall not be barred from challenging and/or commencing proceedings to review the assessment on the subject premises in those instances; and

WHEREAS, a compromise in settlement of the aforesaid proceedings upon the above basis is deemed in the best interests of Respondents;

NOW, THEREFORE, be it resolved by the City Council of the City of Watertown, New York that the City Attorneys of the City of Watertown be and are hereby authorized, empowered and directed to enter into a formal Stipulation of Settlement and discontinuance of the aforesaid proceedings with counsel of Ontario Apartments LLC on the following terms and conditions:

That the total assessment of the subject property owned by Ontario Apartments LLC and known as Tax Parcel No. 8-40-101 shall be reduced to \$6,850,000.00 for tax year 2006 with rebates, and as so adjusted shall be finally fixed and determined and that the assessment roll be corrected as required.

That the total assessment for the subject property shall be set at \$7,500,000.00 for tax year 2007 with rebates, and as so adjusted shall be finally fixed and determined and that the assessment roll be corrected as required.

That the total assessment of the subject property shall be set at \$8,100,000.00 for tax year 2008, 2009, 2010, 2011, and 2012, with rebates, as applicable, and as so adjusted shall be finally fixed and determined.

That the above adjustments with rebates, as applicable, are made in consideration of the Petitioner's agreement not to commence tax assessment review proceedings pursuant to Article 7

of the Real Property Tax Law of the State of New York or under any other applicable provisions of law for tax years 2010 through 2012 so long as the assessment is fixed as set forth above. That the City reserves the right to adjust the assessment on the subject property as authorized by RPTL Section 727 for tax years 2011 and 2012.

That an Order of the Supreme Court shall be made and entered settling the aforesaid proceedings to review said assessments without costs to either party as against the other and upon the terms and conditions set forth above; and

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

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

SECONDED BY COUNCIL MEMBER TERESA R. MACALUSO AND CARRIED WITH ALL VOTING YEA EXCEPT COUNCIL MEMBER BUTLER VOTING NAY.

RULES WAIVED BY MOTION OF COUNCIL MEMBER SMITH, SECONDED BY COUNCIL MEMBER MACALUSO AND CARRIED WITH ALL VOTING IN FAVOR THEREOF.

ADJOURNMENT

AT THE CALL OF THE CHAIR MEETING WAS DULY ADJOURNED AT 9:30 P.M. BY MOTION OF COUNCIL MEMBER BUTLER, SECONDED BY COUNCIL MEMBER MACALUSO AND CARRIED WITH ALL VOTING IN FAVOR THEREOF

Donna M. Dutton
City Clerk