

**CITY OF WATERTOWN, NEW YORK**  
**AGENDA**  
**Monday, June 6, 2016**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, June 6, 2016, 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**

**PRIVILEGE OF THE FLOOR**

**RESOLUTIONS**

- Resolution No. 1 - Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 01-04-106.000 Known as 710 Morrison Street To Craig Schafer
- Resolution No. 2 - Authorizing the Sale of Surplus Equipment and Supplies
- Resolution No. 3 - Authorizing Intergovernmental Memorandum of Agreement By and Between NYS Division of Homeland Security and Emergency Services
- Resolution No. 4 - Approving the 2016 Youth and Young Adult Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Local Workforce Development Area
- Resolution No. 5 - Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000

- Resolution No. 6 - Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000
- Resolution No. 7 - Finding That the Proposed Wastewater Treatment Plant Sludge Disposal Modification Project Will Not Have a Significant Impact on the Environment
- Resolution No. 8 - Finding That Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment

## **ORDINANCES**

### **LOCAL LAW**

### **PUBLIC HEARING**

- 7:30 p.m. Resolution Authorizing Spending From Capital Reserve Fund
- 7:30 p.m. Resolution Authorizing Spending From the Duffy Fairgrounds Stadium Reserve Fund
- 7:30 p.m. An Ordinance Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business

### **OLD BUSINESS**

### **STAFF REPORTS**

1. Request for waiver of fees for New Life Church Father's Day Service
2. Advertising Fees
3. Sales Tax Revenue – April 2016
4. Board and Commission Appointments

### **NEW BUSINESS**

### **EXECUTIVE SESSION**

**WORK SESSION**

Next Work Session is scheduled for Monday, June 13, 2016, at 7:00 p.m.

**ADJOURNMENT**

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,  
JUNE 20, 2016.**

Res No. 1

May 17, 2016

To: The Honorable Mayor and City Council  
From: James E. Mills, City Comptroller  
Subject: Tax sale certificates assignment request

The City has been approached by Craig Schafer, 728 Morrison Street, requesting to be assigned the City's tax sale certificate for 710 Morrison Street. The tax sale certificate was acquired by the City as the default bidder from the tax sale certificate auction held on June 25, 2014. The current redemption price of the certificate is \$6,169.97. Mr. Schafer intends to demolish the current structure and build a storage building.

The owner of 710 Morrison Street is William O'Neill. The property is vacant and water service has been shut off since 2009.



# RESOLUTION

Page 1 of 1

Authorizing Assignment of City-owned Tax Sale Certificate on Parcel Number 01-04-106.000 Known as 710 Morrison Street To Craig Schafer

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.

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 710 Morrison Street as designated on the map of the Department of Assessment and Taxation of the City of Watertown, New York as Parcel No. 01-04-106.000, and

WHEREAS Craig Schafer has requested the assignment of the tax sale certificate from the City for the amount of the tax sale certificate plus the 2014-15 City tax, 2014-15 school tax, 2015 County tax, 2015-16 City tax, 2015-16 school tax and 2016 County tax plus applicable interest per City Charter Section 140,

NOW THEREFORE BE IT RESOLVED that the offer of \$6,169.97 submitted by Craig Schafer for the purchase of the tax sale certificate for Parcel No. 01-04-106.000, 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 Craig Schafer upon the Comptroller's receipt of certified funds in the amount of \$6,169.97.

**Seconded by**

Res No. 2

May 25, 2016

To: The Honorable Mayor and City Council  
From: Sharon Addison, City Manager  
Subject: Authorizing the Sale of Surplus Equipment and Supplies

City of Watertown has surplus equipment and supplies at the Water Treatment Plant that have been replaced with newer models and therefore no longer of value.

As stated in the attached report of City Purchasing Manager Amy M. Pastuf, the items on the list are located at the City Water Treatment Plant and could be sold through Auctions International's online website.

A resolution is attached for City Council consideration.

# RESOLUTION

Page 1 of 1

Authorizing the Sale of Surplus Equipment and Supplies

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.  
 Total .....

YEA	NAY

***Introduced by***

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WHEREAS the City of Watertown has surplus equipment and supplies at the City Water Treatment Plant, the listing of which is attached and made a part of this resolution, and

WHEREAS these supplies and equipment may have some value best determined by on-line auction, and

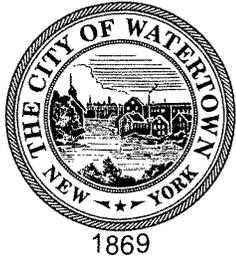
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the sale, by on-line auction, of the surplus equipment and supplies from the City Water Treatment Plant, and

BE IT FURTHER RESOLVED that final acceptance of such bids shall constitute acceptance of the same by the City Council.

**Seconded by**

### WTP Surplus List

Item Description	#	Dept.	Reason
ABB Commander 1900 Paper Chart Recorder	16	WTP	Replaced with new model
Paper Chart Recorder Paper	6	WTP	Replaced with new model
Paper Chart Recorder Pens, Red, Blue, Green	29	WTP	Replaced with new model
Barnstead Laboratory Sterilizer Model C2550, works, no chart recorder, 6 boxes of charts, 7 replacement pens.	1	WTP	Replaced with new model
Rosemount Clarity II Turbidimeters, 4 new, 3 used	7	WTP	Replaced with new model
Rosemount Clarity II Turbidimeters, 5 new controllers with wire harness, 3 used controllers with wire harness, in working condition	8	WTP	Replaced with new model
Hach CA610 Fluoride Analyzer, Used and works	1	WTP	Replaced with new model
Reagents, Standards and Spare Parts for Hach CA610 Fluoride Analyzer		WTP	Replaced with new model
ABB 4600 Process Control pH Meter Controller and 4 probes, used and working	1	WTP	Replaced with new model



# CITY OF WATERTOWN, NEW YORK

ROOM 205, CITY HALL  
245 WASHINGTON STREET  
WATERTOWN, NEW YORK 13601-3380  
E-MAIL [APastuf@watertown-ny.gov](mailto:APastuf@watertown-ny.gov)  
☎ (315) 785-7749 📠 (315) 785-7752

Amy M. Pastuf  
Purchasing Manager

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## MEMORANDUM

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**TO:** Sharon Addison, City Manager  
**FROM:** Amy M. Pastuf, Purchasing Manager  
**SUBJECT:** Surplus Sale of WTP Equipment and Supplies  
**DATE:** 5/25/2016

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The Purchasing Department is requesting City Council's permission to surplus equipment and supplies from the Water Treatment Plant through the Auctions International on-line website. These items have been replaced with newer models and have no purpose for the Department.

This request is for the City Council to authorize the Purchasing Department to accept the highest offer at time of sale provided the offer meets or exceeds the estimated scrap value.

Thank you for your consideration in this matter.

Copy: Jim Mills, City Comptroller  
Enclosures

Res No. 3

May 18, 2016

To: The Honorable Mayor and City Council  
From: Sharon Addison, City Manager  
Subject: Approving Agreement for Loan of Fire Suppression Foam Equipment

In October 2015, Governor Cuomo announced the deployment of 19 Foam Trailers to combat crude oil spills. One of the recipients is our Fire Department, due to our location and the challenges posed by the transportation of crude oil by rail and water across New York. The Division of Homeland Security and Emergency Services will train our fire department personnel and hazardous materials teams on how to deploy and operate the equipment, as well as conduct in-service training programs, coordinate regularly scheduled exercises and maintain additional response capabilities designed to augment our local responders.

As detailed in Fire Chief Dale C. Herman's attached report, the equipment will be provided on a loan basis due to New York State's desire to have availability in strategic locations throughout the State based on risk. The term of this Agreement is for two years and will be renewed as long as we keep the equipment.

Attached for City Council consideration is a resolution approving Agreement No. X200017 Intergovernmental Memorandum of Agreement By and Between the NYS Division of Homeland Security and Emergency Services Office of Fire Prevention and Control and the City of Watertown for the Temporary Loan of Fire Suppression Foam Equipment. This Agreement has been reviewed by City Attorney Robert Slye.

**RESOLUTION**

Page 1 of 1

Authorizing Intergovernmental Memorandum of Agreement By and Between NYS Division of Homeland Security and Emergency Services

Council Member HORBACZ, Cody J.  
Council Member JENNINGS, Stephen A.  
Council Member MACALUSO, Teresa R.  
Council Member WALCZYK, Mark C.  
Mayor BUTLER, Jr., Joseph M.

YEA	NAY

Total .....

***Introduced by***

WHEREAS in October 2015, Governor Cuomo announced the deployment of 19 Foam Trailers to combat crude oil spills to include the City of Watertown, and

WHEREAS the City of Watertown Fire Department is seeking City Council approval to enter into an Agreement with the NYS Division of Homeland Security and Emergency Services for a loan of Fire Suppression Foam Equipment, and

WHEREAS the purpose of this Agreement is to support and supplement existing local foam capabilities to assure that trained personnel and the appropriate equipment is available at strategic locations throughout the State based on risk, and

WHEREAS the NYS Division of Homeland Security and Emergency Services agrees to accept an official letter of self-insurance from the City of Watertown to indemnify and hold harmless the State of New York for any and all claims arising out of the local use of the equipment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the Fire Department to participate in the Temporary Loan of Fire Suppression Foam Equipment program, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute Agreement No. X200017 Intergovernmental Memorandum of Agreement By and Between the NYS Division of Homeland Security and Emergency Services, Office of Fire Prevention and Control and City of Watertown for Temporary Loan of Fire Suppression Foam Equipment, a copy of which is attached and made part of this Resolution, on behalf of the City of Watertown.

**Seconded by**



Agreement No. X200017

INTERGOVERNMENTAL  
MEMORANDUM OF AGREEMENT

By and Between

NYS DIVISION OF HOMELAND SECURITY AND EMERGENCY SERVICES

Office of Fire Prevention and Control

and

CITY OF WATERTOWN

for

TEMPORARY LOAN OF FIRE SUPPRESSION FOAM EQUIPMENT

This Intergovernmental Memorandum of Agreement (Agreement) is entered by and between the State of New York **Division of Homeland Security and Emergency Services, Office of Fire Prevention and Control** ("DHSES", "OFPC" or "State of New York") with offices located at 1220 Washington Avenue, State Office Campus, Building 7A, Albany, New York 12226 and the **City of Watertown** ("Contractor" or "Participating Agency") with offices located at 245 Washington Street, Watertown, NY 13601. The foregoing DHSES and/or Participating Agency shall sometimes be referred to herein individually as "Party" and collectively as the "Parties."

WITNESSETH:

**WHEREAS**, on January 28, 2014, Governor Andrew Cuomo issued Executive Order 125 directing State agencies to conduct a review of safety procedures and emergency response preparedness related to the shipments of volatile crude from the Bakken Oil fields in North Dakota and other sources; and

**WHEREAS**, the State has formed the New York State Foam Task Force (Task Force), which is a state and local partnership, to support and supplement existing local foam capabilities to assure that trained personnel and the appropriate equipment is available a strategic locations throughout the State based on risk;

**WHEREAS**, as a result of the review, DHSES has acquired a quantity of foam trailers, equipment and supplies, and pre-positioned such equipment at strategic locations with participating agencies that herein agree to support the efforts of the Task Force;

**WHEREAS**, this Agreement establishes the responsibilities, guidelines and procedures for the assignment, deployment and use of the equipment to the Participating Agency by DHSES;

**WHEREAS**, the Participating Agency acknowledges receipt of said equipment;

**NOW, THEREFORE**, in consideration of the promises set forth herein, be it known that a DHSES hereby grants a temporary revocable permit to Participating Agency to use the Equipment designated in Section 3, and the Parties agree to the terms and conditions as follows:



## 1. PURPOSE

DHSES is providing Class B foam trailers and equipment, further identified in Appendix B ("Equipment"), to participating agencies to receive, hold, maintain and use in order to pre-position the equipment for rapid response to incidents resulting in a spill or fire involving crude oil and other ignitable liquids, when activated by the State as a component of the New York State Foam Task Force.

The Equipment is being provided on a loan basis. Regardless of possession, title to all equipment identified in Appendix B shall remain with the State at all times. The State has the right to recall the Equipment at any time upon notification. As such, any permanent granting of the Equipment must be provided for in a separate written agreement signed by both Parties. The Parties understand and acknowledge that the Equipment issued under the terms and conditions of this Agreement is intended to enhance the ability of the Participating Agency and the State to assist in and support fire control and vapor suppression efforts at incidents involving crude oil and other ignitable liquids and is not intended to provide all the equipment appropriate and necessary to do so.

## 2. APPENDIX A

Appendix A, Standard Clauses for All New York State Agreements, is hereby attached and made part of this Agreement and shall take precedence over all other terms of this Agreement.

## 3. DESCRIPTION OF EQUIPMENT

DHSES agrees to provide to the Participating Agency on a temporary loan basis: foam trailers, equipment and supplies under the terms of this Agreement. All items, equipment and resources shall be collectively referred to herein as "Equipment." The specific Equipment loaned to the Participating Agency is specifically listed in Appendix B, which is hereby attached and incorporated into this Agreement.

## 4. TERM AND TERMINATION OF AGREEMENT

- 4.1 The Participating Agency specifically agrees that this Agreement shall be deemed executory only to the extent of the monies available, and no liability shall be incurred by the State beyond the monies available for the purpose. Section 112 of the State Finance Law requires that any contract made by a State Agency which exceeds fifty thousand dollars (\$50,000) in amount, or if the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds ten thousand (\$10,000), it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office before becoming effective. The Contract will be deemed executed upon, and will not be considered fully executed and binding until, receipt of approval by the AG and OSC.
- 4.2 The term of this Agreement, unless amended or extended by written mutual consent of the Parties, shall commence on the first Monday immediately following approval by the Office of State Comptroller and shall terminate after twenty-four (24) months from the day therefrom, unless terminated earlier pursuant to sections 4.3 – 4.5 below. This Agreement may be extended in writing for an additional two (2) year period upon mutual agreement between the Parties.



- 4.3 DHSES may terminate this Agreement immediately, upon written notice of termination to the Participating Agency, if the Participating Agency fails to comply with the terms and conditions of this Agreement and/or with any laws, rules, regulations, policies or procedures affecting this Agreement. Written notice of termination shall be sent by personal messenger service or by certified mail, return receipt requested. The termination shall be effective in accordance with the terms of the notice outlined in Section 17.
- 4.4 Either Party shall have the right to terminate this Agreement early for: (i) unavailability of funds; (ii) cause; or (iii) convenience upon ten (10) business days' written notice.
- 4.5 The Participating Agency may terminate this Agreement, upon written notice of termination to the State, if the Participating Agency is unable or unwilling to comply with the terms and conditions of the Agreement.
- 4.6 Upon termination of this agreement by either the State or Participating Party, the Participating Agency shall return all equipment, less ordinary wear and tear, to DHSES.

## 5. TERMS OF USE

The Parties agree that the Participating Agency shall maintain possession of the Equipment provided the Participating Agency complies with the following conditions:

- 5.1 The Participating Agency understands and agrees that for incidents necessitating deployment of the Task Force time is of the essence and therefore it shall identify and assign personnel to deploy and operate as part of the Task Force, and will remain ready, willing and able to immediately deploy the equipment and personnel, as identified below, pursuant to activation by the State and shall immediately notify the State of the inability to respond to that request.
- 5.2 The Participating Agency agrees to make personnel available to participate in the initial and in-service training specified by New York State. The number of personnel trained shall be sufficient to provide for the response of 2 to 4 personnel with the Equipment when activated as part of the NYS Foam Task Force and deployed by the State., To the extent possible, scheduling of required training by OFPC will be undertaken to limit overtime for participating agency career staff and consistent with the availability of volunteer staffing. At a minimum the training shall include the following:
  - 5.2.1 Initial Training: Approximately 20 – 24 hours;
  - 5.2.2 Annual Refresher Training: Approximately 4 – 8 hours;
  - 5.2.3 Annual Drill or Exercise: Approximately 4 – 8 hours.



- 5.3 In addition to ensuring availability and participation in the annual refresher training provided by OFPC, Participating Agency agrees that it shall participate, upon reasonable advance notice, in drills, exercises or other events as requested by the State.
- 5.4 The Participating Agency shall ensure that there are two (2) to four (4) trained persons available at all times (24hours/7days) to respond with the pre-positioned foam trailer and equipment within 30 minutes or less; however, it is understood and agreed that, at no time, shall there be less than two (2) trained persons available to respond. The Participating Agency acknowledges and agrees that it shall be responsible for all salaries, costs and fees associated with response or activities requested by OFPC and/or the New York State Foam Task Force.
- 5.5 Participating Agency agrees to be responsible to provide and make available or provide for the following:
- 5.5.1 All personal protective equipment (PPE) appropriate and necessary for its personnel to respond with and operate as part of the NYS Foam Task Force, including but not limited to structural firefighting turnout gear.
- 5.5.2 The 1.75" and 2.5" hose required for the appliances and foam attack lines associated with each trailer (estimated 200 feet of each type).
- 5.5.3 Participating Agency shall provide, and Participating Agency personnel shall retain the insurance coverage and protection provided by the Participating Agency for its personnel including but not limited to, the provisions established by General Municipal Law 207-a or the Volunteer Firefighter's Benefit Law.
- 5.5.4 A vehicle suitable for towing the assigned foam trailer during a response and approved by OFPC in advance.
- 5.5.5 Maintaining the Equipment covered under this Agreement in a state of readiness for use and response at all times (24 hours/7 days).
- 5.5.6 Immediate notification to the State of any condition or issue necessitating placing the Equipment out of service or of any condition or circumstance which prevents the Participating Agency from responding with the Equipment.
- 5.5.7 Comply with procedures and guidelines, established by DHSES, for the activation, deployment, and operations of the Task Force.
- 5.6 The Parties agree that the trailer may be used by the Participating Agency, as needed, for any local response under the following conditions:
- 5.6.1 The Participating Agency must notify OFPC of all local responses undertaken within twenty-four (24) hours of the commencement of activity.



- 5.6.2 The Participating Agency agrees to replace any foam concentrate or supplies used in local response, as specified by OFPC.
- 5.6.3 The Participating Agency agrees to repair any damage or wear to the trailer or equipment associated with or required after local use.
- 5.6.4 The Participating Agency shall assume all liability associated with operation or use of any loaned equipment during any local response.
- 5.7 The Participating Agency shall ensure that all intended users and operators of the Equipment successfully complete the training specified and provided by the State for that purpose.
- 5.8 The Participating Agency understands and agrees to be solely responsible to understand any and all safety or security issues surrounding the use of the Equipment and accommodate its use according to its capabilities and limitations.
- 5.9 The Participating Agency understands and agrees that, on occasion, the State will perform inventory and maintenance, routine and emergency, to the Equipment, which may be conducted with advance notice or no notice at all. The Participating Agency agrees that it shall provide DHSES, OFPC and its vendors and subcontractors with reasonable time and opportunity to properly maintain the Equipment in accordance with the manufacturer's recommendations and all applicable laws and regulations.
  - 5.9.1 Additionally, the Participating Agency shall be prepared for use of alternative Equipment during planned and unplanned out servicing. Furthermore, it is hereby understood that the State has no obligation to provide alternate equipment to be available for local responses when Equipment is removed from service for maintenance or repairs, although it reserves the right to provide alternate equipment to maintain NYS Foam Task Force operational capabilities if resources are available to do so.
- 5.10 The Participating Agency understands and agrees that the State may take back the Equipment at any time for any reason or may redeploy the Equipment if it is determined to be needed in another area as directed by DHSES. Upon notification by the state the Participating Agency must make the Equipment immediately available. DHSES shall provide reasonable advance notice, or the maximum notice possible under the circumstances, to the Participating Agency Point of Contact.
- 5.11 The Participating Agency agrees that DHSES reserves the right to take back the Equipment in the event of a breach of this Agreement, if the Equipment is not being used to its full potential, is being misused or has been returned for reissuance by DHSES. In the event of reissuance, the Participating Agency agrees to undertake whatever actions are reasonably requested by DHSES to return possession of the Equipment to DHSES.
- 5.12 The Parties acknowledge that sustaining the Equipment issued or issuing additional resources shall be contingent upon an evaluation of need by DHSES and be subject to the availability of funding. The



Parties reserve the right to expand the scope of this Agreement or the type and amount of the pre-positioned Equipment provided, subject to available funding, as agreed to by both Parties, and addressed within an updated and amended agreement .

5.13 DHSES shall be responsible for the following:

5.13.1 Ordering, purchasing and accepting Equipment from the vendor;

5.13.2 Conduct routine maintenance, repair and/or replacement of Equipment resulting from response activities pursuant to State activations. Participating Agency shall be responsible for costs relating to maintenance and repair required resulting from local deployment;

5.13.3 Testing and recertification of the Equipment provided, as required;

5.13.4 Replacement of foam supplies utilized during State specified training or deployment of the Foam Task Force [as directed by the State];

5.13.5 Reimbursement of costs incurred directly by the Participating Agency as the employer, with the exception of those costs that would otherwise have been incurred by the Participating Agency (such as deployment within the jurisdiction of the Participating Agency), for the cost of backfilling to provide shift coverage, including overtime, for personnel responding pursuant to activation by the State. The reimbursement shall not exceed costs for four (4) persons, except as approved by the State Fire Administrator;

5.13.6 Providing the initial training and annual refresher training required for the use of the Equipment. Consideration will be given to reimburse backfill costs associated with participation of Participating Agency's personnel in training, drills and exercises, subject to the availability of funds.

5.13.7 Organizing drills and exercises.

5.13.8 Activation, deployment, management and operations of the New York State Foam Task Force.

## **6. LOAN OF RESOURCES**

6.1 The Equipment shall be loaned exclusively to the Participating Agency only for the purposes set forth in this Agreement. No other use of the equipment shall be authorized.

6.2 DHSES shall retain title to the Equipment loaned under this Agreement at all times.

6.3 The Participating Agency agrees that it has no claim in law or equity concerning the Equipment or associated training.



- 6.4 The Participating Agency agrees that it shall not sell, move or otherwise transfer the Equipment to any other party without the express written permission of DHSES.
- 6.5 In all instances, except where otherwise agreed to by DHSES, the Participating Agency is responsible for all costs associated with preparing, packing and transporting the equipment, including all applicable costs. Possession, but not title, of the equipment will pass from DHSES to the Participating Agency at the time of receipt of the equipment. All transportation to and from the site of the equipment and all associated costs will be covered exclusively by the Participating Agency. DHSES financial responsibility is limited to that identified in 5.13.

**7. COMPENSATION**

As compensation for loan of this equipment, the Participating Agency shall pay DHSES a one-time administrative fee of \$1.00; payment of same waived. As such, this Agreement shall not be construed to have any monetary value. The Participating Agency is responsible for peripheral and maintenance costs of the Equipment as described in this Agreement.

**8. PARTICIPATING AGENCY POINT OF CONTACT**

The Participating Agency will designate its own member Point of Contact (“Participating Agency POC”) for the purpose of arranging for and the installation, maintenance and return of the equipment to DHSES. The Participating Agency’s POC shall also be responsible as a 24-hour point of contact for this Agreement and any issues arising from its existence and be responsible for maintaining the current status of the contact information. The Participating Agency Point of Contact shall be listed in Appendix B of this Agreement.

**9. DHSES POINT OF CONTACT**

State Fire Administrator  
New York State Office of Fire Prevention and Control  
NYS Division of Homeland Security and Emergency Services  
State Office Campus  
1220 Washington Ave, Building 7A  
Albany, NY 12242  
Office: 518-474-6746

**10. CONDITION AND MAINTENANCE OF EQUIPMENT**

- 10.1 DHSES will make its best effort to ensure that the Equipment loaned under this Agreement is furnished to the Participating Agency in a serviceable condition suitable for its intended use.

However, DHSES makes neither warranty nor guarantee of fitness of the property for any particular purpose or use.



10.2 The Participating Agency shall be responsible to receive the Equipment and certify that the Participating Agency's orientation with the Equipment occurred. Additionally, the Participating Agency shall, as appropriate, 1) provide equipment inventory reports to DHSES upon request; 2) assist in resolving equipment related issues, such as defective equipment; 3) conduct any maintenance, as determined by DHSES, in accordance with the manufacturer's recommendations and all applicable laws and regulations to assist in its operational functionality; and 4) satisfaction of any State or federal reporting requirements.

#### 11. EQUIPMENT SECURITY

Upon acceptance of the Equipment, Participating Agency shall notify OFPC of the location where the equipment is to be stored and assumes all responsibility for secure storage, maintenance, and property accountability. Any change in the storage location must be approved in advance by DHSES.

#### 12. NO THIRD-PARTY TRANSFERS

This Agreement or the Equipment loaned hereunder shall not be transferred to any other party by the Participating Agency without the express written permission of DHSES.

#### 13. RETURN OF EQUIPMENT

Upon expiration of the Agreement, the Participating Agency shall be responsible to return all Equipment to DHSES in the same condition as it was issued, less and except ordinary wear and tear caused by response activities pursuant to state activations. If the Equipment is not returned, or not returned in good working order and repair, the Participating Agency may be responsible to reimburse DHSES the replacement value or repair of the Equipment, which shall be determined by the estimated replacement value for each item of equipment listed in Appendix B.

#### 14. LIABILITY AND INSURANCE

14.1 The Participating Agency shall indemnify and hold harmless the State of New York for any and all claims arising out of the local use of the Equipment, including but not limited to deployment, training, drills and exercises. DHSES does not agree to any indemnification provisions in any documents attached hereto that require DHSES or the State of New York to indemnify or hold harmless the Participating Agency or third parties.

14.2 In consideration of the Participating Agency's agreement to deploy and respond during a State activation of the Task Force, the State, subject to the availability of lawful appropriations and consistent with Section 8 of the State Court of Claims Act and Section 17 of the Public Officers Law, shall hold the Participating Agency harmless from, and indemnify it for, any final judgment of a court of competent jurisdiction to the extent attributable to the acts and omissions of its officers or employees when acting within the course and scope of their employment.

14.3 Notwithstanding anything to the contrary in this Agreement, DHSES shall not be liable to the Participating Agency for any special, consequential, or punitive damages, or loss of profits or revenues, whether such



damages are alleged as a result of tort (including strict liability), Agreement, warranty, or otherwise, arising out of or relating to DHSES's acts or omissions under this Agreement. Participating Agency remains liable for direct damages attributable to their respective negligence, misconduct and omissions without limitation.

14.4 Nothing contained herein is intended limit the rights and privileges afforded to either Party by operation of law.

14.5 Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the Parties. The Participating Agency shall at all times remain an "independent Participating Agency" with respect to the efforts to be performed under this Agreement. DHSES shall not be responsible for any payment of Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the Participating Agency is an independent Participating Agency.

14.6 Participating Agency shall carry general liability insurance in the amount of \$1,000,000 per occurrence and \$3,000,000 dollar in the aggregate. Such insurance shall remain in effect throughout the term of the Agreement.

14.6.1 The Participating Agency shall name the State of New York and DHSES as an "additional insured."

14.6.2 The Participating Agency shall provide certification of insurance to DHSES and must include: 1) the insurance policy number; 2) the name and address of the broker and title of authorized official of broker; and 3) the signature of the authorized official or broker.

14.6.3 Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee or any other between the Parties.

## 15. INTERPRETATION

This Agreement shall be interpreted according to the laws of the State of New York.

## 16. NOTICES

Any and all notifications, consents and other communications to DHSES regarding the implementation, production, or operational production or operational processes or procedures of this Contract shall be in writing. All notices permitted or required hereunder shall be in writing and shall be transmitted either:

- (a) via certified or registered United States mail, return receipt requested;
- (b) by facsimile transmission;
- (c) by personal delivery;
- (d) by expedited delivery service; or
- (e) by e-mail.

## 17. AMENDMENTS



damages are alleged as a result of tort (including strict liability), Agreement, warranty, or otherwise, arising out of or relating to DHSES's acts or omissions under this Agreement. Participating Agency remains liable for direct damages attributable to their respective negligence, misconduct and omissions without limitation.

14.4 Nothing contained herein is intended limit the rights and privileges afforded to either Party by operation of law.

14.5 Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee between the Parties. The Participating Agency shall at all times remain an "independent Participating Agency" with respect to the efforts to be performed under this Agreement. DHSES shall not be responsible for any payment of Unemployment Compensation, FICA, retirement, life and/or medical insurance and Workers' Compensation Insurance, as the Participating Agency is an independent Participating Agency.

14.6 Participating Agency shall carry general liability insurance in the amount of \$1,000,000 per occurrence and \$3,000,000 dollar in the aggregate. Such insurance shall remain in effect throughout the term of the Agreement.

14.6.1 The Participating Agency shall name the State of New York and DHSES as an "additional insured."

14.6.2 The Participating Agency shall provide certification of insurance to DHSES and must include: 1) the insurance policy number; 2) the name and address of the broker and title of authorized official of broker; and 3) the signature of the authorized official or broker.

14.6.3 Nothing contained in this Agreement is intended to, or shall be construed in any manner, as creating or establishing the relationship of employer/employee or any other between the Parties.

## 15. INTERPRETATION

This Agreement shall be interpreted according to the laws of the State of New York.

## 16. NOTICES

Any and all notifications, consents and other communications to DHSES regarding the implementation, production, or operational production or operational processes or procedures of this Contract shall be in writing. All notices permitted or required hereunder shall be in writing and shall be transmitted either:

- (a) via certified or registered United States mail, return receipt requested;
- (b) by facsimile transmission;
- (c) by personal delivery;
- (d) by expedited delivery service; or
- (e) by e-mail.

## 17. AMENDMENTS



This Agreement may not be changed, altered or modified except in writing and signed by both Parties and, if required, approved by both the Attorney General and Comptroller of the State of New York.

18. ENTIRE AGREEMENT

This Agreement constitutes the entire Agreement of the parties hereto and all previous communications between the parties, whether written or oral, with reference to the subject matter of this contract are hereby superseded.

IN WITNESS WHEREOF, this Agreement has been executed by a duly authorized representative of the Parties.

State Agency Certification

"In addition to the acceptance of this contract, I also certify that original copies of this signature page will be attached to all other exact copies of this contract."

ON BEHALF OF PARTICIPATING AGENCY:

ON BEHALF OF DHSES:

Signed, \_\_\_\_\_

Signed, \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Participating Agency Acknowledgement for Agreement No. X200017

State of New York )
)ss.
County of \_\_\_\_\_)

On this \_\_\_ day of \_\_\_\_\_ 2015, before me personally came \_\_\_\_\_ to me known, who, being by me duly sworn, did depose and say that she/he resides in \_\_\_\_\_, that she/he is the \_\_\_\_\_ of the municipal fire department described in and which executed the above instrument; and that she/he is duly authorized by the governing body of said municipality to sign her/his name thereto.

(Signature and office of the person taking acknowledgement)



## APPENDIX A

### Standard Clauses for All New York State Contracts

The parties to the attached contract, license, lease, amendment or other agreement of any kind (hereinafter, "the contract" or "this contract") agree to be bound by the following clauses which are hereby made a part of the contract (the word "Contractor" herein refers to any party other than the State, whether a contractor, licensor, licensee, lessor, lessee or any other party):

**1. EXECUTORY CLAUSE.** In accordance with Section 41 of the State Finance Law, the State shall have no liability under this contract to the Contractor or to anyone else beyond funds appropriated and available for this contract.

**2. NON-ASSIGNMENT CLAUSE.** In accordance with Section 138 of the State Finance Law, this contract may not be assigned by the Contractor or its right, title or interest therein assigned, transferred, conveyed, sublet or otherwise disposed of without the State's previous written consent, and attempts to do so are null and void. Notwithstanding the foregoing, such prior written consent of an assignment of a contract let pursuant to Article XI of the State Finance Law may be waived at the discretion of the contracting agency and with the concurrence of the State Comptroller where the original contract was subject to the State Comptroller's approval, where the assignment is due to a reorganization, merger or consolidation of the Contractor's business entity or enterprise. The State retains its right to approve an assignment and to require that any Contractor demonstrate its responsibility to do business with the State. The Contractor may, however, assign its right to receive payments without the State's prior written consent unless this contract concerns Certificates of Participation pursuant to Article 5-A of the State Finance Law.

**3. COMPTROLLER'S APPROVAL.** In accordance with Section 112 of the State Finance Law (or, if this contract is with the State University or City University of New York, Section 355 or Section 6218 of the Education Law), if this contract exceeds \$50,000 (or the minimum thresholds agreed to by the Office of the State Comptroller for certain S.U.N.Y. and C.U.N.Y. contracts), or if this is an amendment for any amount to a contract which, as so amended, exceeds said statutory amount, or if, by this contract, the State agrees to give something other than money when the value or reasonably estimated value of such consideration exceeds \$10,000, it shall not be valid, effective or binding upon the State until it has been approved by the State Comptroller and filed in his office. Comptroller's approval of contracts let by the Office of General Services is required when such contracts exceed \$85,000 (State Finance Law Section 163.6-a). However, such pre-approval shall not be required for any contract established as a centralized contract through the Office of General Services or for a purchase order or other transaction issued under such centralized contract.

**4. WORKERS' COMPENSATION BENEFITS.** In accordance with Section 142 of the State Finance Law, this contract shall be void and of no force and effect unless the Contractor shall provide and maintain coverage during the life of this contract for the benefit of such employees as are required to be covered by the provisions of the Workers' Compensation Law.

**5. NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex (including gender identity or expression), national origin, sexual orientation, military status, age, disability, predisposing genetic characteristics, marital status or domestic violence victim status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race,



creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

**6. WAGE AND HOURS PROVISIONS.** If this is a public work contract covered by Article 8 of the Labor Law or a building service contract covered by Article 9 thereof, neither Contractor's employees nor the employees of its subcontractors may be required or permitted to work more than the number of hours or days stated in said statutes, except as otherwise provided in the Labor Law and as set forth in prevailing wage and supplement schedules issued by the State Labor Department. Furthermore, Contractor and its subcontractors must pay at least the prevailing wage rate and pay or provide the prevailing supplements, including the premium rates for overtime pay, as determined by the State Labor Department in accordance with the Labor Law. Additionally, effective April 28, 2008, if this is a public work contract covered by Article 8 of the Labor Law, the Contractor understands and agrees that the filing of payrolls in a manner consistent with Subdivision 3-a of Section 220 of the Labor Law shall be a condition precedent to payment by the State of any State approved sums due and owing for work done upon the project.

**7. NON-COLLUSIVE BIDDING CERTIFICATION.** In accordance with Section 139-d of the State Finance Law, if this contract was awarded based upon the submission of bids, Contractor affirms, under penalty of perjury, that its bid was arrived at independently and without collusion aimed at restricting competition. Contractor further affirms that, at the time Contractor submitted its bid, an authorized and responsible person executed and delivered to the State a non-collusive bidding certification on Contractor's behalf.

**8. INTERNATIONAL BOYCOTT PROHIBITION.** In accordance with Section 220-f of the Labor Law and Section 139-h of the State Finance Law, if this contract exceeds \$5,000, the Contractor agrees, as a material condition of the contract, that neither the Contractor nor any substantially owned or affiliated person, firm, partnership or corporation has participated, is participating, or shall participate in an international boycott in violation of the federal Export Administration Act of 1979 (50 USC App. Sections 2401 et seq.) or regulations thereunder. If such Contractor, or any of the aforesaid affiliates of Contractor, is convicted or is otherwise found to have violated said laws or regulations upon the final determination of the United States Commerce Department or any other appropriate agency of the United States subsequent to the contract's execution, such contract, amendment or modification thereto shall be rendered forfeit and void. The Contractor shall so notify the State Comptroller within five (5) business days of such conviction, determination or disposition of appeal (2NYCRR 105.4).

**9. SET-OFF RIGHTS.** The State shall have all of its common law, equitable and statutory rights of set-off. These rights shall include, but not be limited to, the State's option to withhold for the purposes of set-off any moneys due to the Contractor under this contract up to any amounts due and owing to the State with regard to this contract, any other contract with any State department or agency, including any contract for a term commencing prior to the term of this contract, plus any amounts due and owing to the State for any other reason including, without limitation, tax delinquencies, fee delinquencies or monetary penalties relative thereto. The State shall exercise its set-off rights in accordance with normal State practices including, in cases of set-off pursuant to an audit, the finalization of such audit by the State agency, its representatives, or the State Comptroller.

**10. RECORDS.** The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The



Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

**11. IDENTIFYING INFORMATION AND PRIVACY NOTIFICATION.** (a) Identification Number(s). Every invoice or New York State Claim for Payment submitted to a New York State agency by a payee, for payment for the sale of goods or services or for transactions (e.g., leases, easements, licenses, etc.) related to real or personal property must include the payee's identification number. The number is any or all of the following: (i) the payee's Federal employer identification number, (ii) the payee's Federal social security number, and/or (iii) the payee's Vendor Identification Number assigned by the Statewide Financial System. Failure to include such number or numbers may delay payment. Where the payee does not have such number or numbers, the payee, on its invoice or Claim for Payment, must give the reason or reasons why the payee does not have such number or numbers.

(b) Privacy Notification. (1) The authority to request the above personal information from a seller of goods or services or a lessor of real or personal property, and the authority to maintain such information, is found in Section 5 of the State Tax Law. Disclosure of this information by the seller or lessor to the State is mandatory. The principal purpose for which the information is collected is to enable the State to identify individuals, businesses and others who have been delinquent in filing tax returns or may have understated their tax liabilities and to generally identify persons affected by the taxes administered by the Commissioner of Taxation and Finance. The information will be used for tax administration purposes and for any other purpose authorized by law. (2) The personal information is requested by the purchasing unit of the agency contracting to purchase the goods or services or lease the real or personal property covered by this contract or lease. The information is maintained in the Statewide Financial System by the Vendor Management Unit within the Bureau of State Expenditures, Office of the State Comptroller, 110 State Street, Albany, New York 12236.

**12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN.** In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

(a) The Contractor will not discriminate against employees or applicants for employment because of race, creed, color, national origin, sex, age, disability or marital status, shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts and will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination. Affirmative action shall mean recruitment, employment, job assignment, promotion, upgradings, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation;



(b) at the request of the contracting agency, the Contractor shall request each employment agency, labor union, or authorized representative of workers with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union or representative will not discriminate on the basis of race, creed, color, national origin, sex, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein; and

(c) the Contractor shall state, in all solicitations or advertisements for employees, that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status.

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

**13. CONFLICTING TERMS.** In the event of a conflict between the terms of the contract (including any and all attachments thereto and amendments thereof) and the terms of this Appendix A, the terms of this Appendix A shall control.

**14. GOVERNING LAW.** This contract shall be governed by the laws of the State of New York except where the Federal supremacy clause requires otherwise.

**15. LATE PAYMENT.** Timeliness of payment and any interest to be paid to Contractor for late payment shall be governed by Article 11-A of the State Finance Law to the extent required by law.

**16. NO ARBITRATION.** Disputes involving this contract, including the breach or alleged breach thereof, may not be submitted to binding arbitration (except where statutorily authorized), but must, instead, be heard in a court of competent jurisdiction of the State of New York.

**17. SERVICE OF PROCESS.** In addition to the methods of service allowed by the State Civil Practice Law & Rules ("CPLR"), Contractor hereby consents to service of process upon it by registered or certified mail, return receipt requested. Service hereunder shall be complete upon Contractor's actual receipt of process or upon the State's receipt of the return thereof by the United States Postal Service as refused or undeliverable. Contractor must promptly notify the State, in writing, of each and every change of address to which service of process can be made. Service by the State to the last known address shall be sufficient. Contractor will have thirty (30) calendar days after service hereunder is complete in which to respond.

**18. PROHIBITION ON PURCHASE OF TROPICAL HARDWOODS.** The Contractor certifies and warrants that all wood products to be used under this contract award will be in accordance with, but not limited to, the specifications and provisions of Section 165 of the State Finance Law, (Use of Tropical Hardwoods) which prohibits purchase and use of tropical hardwoods, unless specifically exempted, by the State or any governmental agency or political subdivision or public benefit corporation. Qualification for an exemption under this law will be the responsibility of the contractor to establish to meet with the approval of the State.



In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

**19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.** In accordance with the MacBride Fair Employment Principles (Chapter 807 of the Laws of 1992), the Contractor hereby stipulates that the Contractor either (a) has no business operations in Northern Ireland, or (b) shall take lawful steps in good faith to conduct any business operations in Northern Ireland in accordance with the MacBride Fair Employment Principles (as described in Section 165 of the New York State Finance Law), and shall permit independent monitoring of compliance with such principles.

**20. OMNIBUS PROCUREMENT ACT OF 1992.** It is the policy of New York State to maximize opportunities for the participation of New York State business enterprises, including minority and women-owned business enterprises as bidders, subcontractors and suppliers on its procurement contracts.

Information on the availability of New York State subcontractors and suppliers is available from:

NYS Department of Economic Development  
Division for Small Business  
Albany, New York 12245  
Telephone: 518-292-5100  
Fax: 518-292-5884  
email: opa@esd.ny.gov

A directory of certified minority and women-owned business enterprises is available from:

NYS Department of Economic Development  
Division of Minority and Women's Business Development  
633 Third Avenue  
New York, NY 10017  
212-803-2414  
email: mwbecertification@esd.ny.gov  
<https://ny.newnycontracts.com/FrontEnd/VendorSearchPublic.asp>

The Omnibus Procurement Act of 1992 requires that by signing this bid proposal or contract, as applicable, Contractors certify that whenever the total bid amount is greater than \$1 million:

(a) The Contractor has made reasonable efforts to encourage the participation of New York State Business Enterprises as suppliers and subcontractors, including certified minority and women-owned business enterprises, on this project, and has retained the documentation of these efforts to be provided upon request to the State;

(b) The Contractor has complied with the Federal Equal Opportunity Act of 1972 (P.L. 92-261), as amended;

(c) The Contractor agrees to make reasonable efforts to provide notification to New York State residents of employment opportunities on this project through listing any such positions with the Job Service Division of the New York State Department of Labor, or providing such notification in such manner as is consistent with existing collective bargaining



contracts or agreements. The Contractor agrees to document these efforts and to provide said documentation to the State upon request; and

(d) The Contractor acknowledges notice that the State may seek to obtain offset credits from foreign countries as a result of this contract and agrees to cooperate with the State in these efforts.

**21. RECIPROCITY AND SANCTIONS PROVISIONS.** Bidders are hereby notified that if their principal place of business is located in a country, nation, province, state or political subdivision that penalizes New York State vendors, and if the goods or services they offer will be substantially produced or performed outside New York State, the Omnibus Procurement Act 1994 and 2000 amendments (Chapter 684 and Chapter 383, respectively) require that they be denied contracts which they would otherwise obtain. NOTE: As of May 15, 2002, the list of discriminatory jurisdictions subject to this provision includes the states of South Carolina, Alaska, West Virginia, Wyoming, Louisiana and Hawaii. Contact NYS Department of Economic Development for a current list of jurisdictions subject to this provision.

**22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.** Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

**23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.** If this is a contract for consulting services, defined for purposes of this requirement to include analysis, evaluation, research, training, data processing, computer programming, engineering, environmental, health, and mental health services, accounting, auditing, paralegal, legal or similar services, then, in accordance with Section 163 (4-g) of the State Finance Law (as amended by Chapter 10 of the Laws of 2006), the Contractor shall timely, accurately and properly comply with the requirement to submit an annual employment report for the contract to the agency that awarded the contract, the Department of Civil Service and the State Comptroller.

**24. PROCUREMENT LOBBYING.** To the extent this agreement is a "procurement contract" as defined by State Finance Law Sections 139-j and 139-k, by signing this agreement the contractor certifies and affirms that all disclosures made in accordance with State Finance Law Sections 139-j and 139-k are complete, true and accurate. In the event such certification is found to be intentionally false or intentionally incomplete, the State may terminate the agreement by providing written notification to the Contractor in accordance with the terms of the agreement.

**25. CERTIFICATION OF REGISTRATION TO COLLECT SALES AND COMPENSATING USE TAX BY CERTAIN STATE CONTRACTORS, AFFILIATES AND SUBCONTRACTORS.**

To the extent this agreement is a contract as defined by Tax Law Section 5-a, if the contractor fails to make the certification required by Tax Law Section 5-a or if during the term of the contract, the Department of Taxation and Finance or the covered agency, as defined by Tax Law 5-a, discovers that the certification, made under penalty of perjury, is false, then such failure to file or false certification shall be a material breach of this contract and this contract may be terminated, by providing written notification to the Contractor in accordance with the terms of the agreement, if the covered agency determines that such action is in the best interest of the State.

**26. IRAN DIVESTMENT ACT.** By entering into this Agreement, Contractor certifies in accordance with State Finance Law §165-a that it is not on the "Entities Determined to be Non-Responsive Bidders/Offerers pursuant to the New York State Iran Divestment Act of 2012" ("Prohibited Entities List") posted at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf>

Contractor further certifies that it will not utilize on this Contract any subcontractor that is identified on the Prohibited Entities List. Contractor agrees that should it seek to renew or extend this Contract, it must provide the same certification at the time the Contract is renewed or extended. Contractor also agrees that any proposed Assignee of this Contract will be required to certify that it is not on the Prohibited Entities List before the contract assignment will be approved by the State.



During the term of the Contract, should the state agency receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, the state agency will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then the state agency shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the Contractor in default.

The state agency reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.



APPENDIX B

Equipment Inventory and Participating Agency Point of Contact

<u>Quantity</u>	<u>Item</u>	<u>Estimated Replacement Value</u>
1	Dual Tote Chariot II Foam Trailer, 330 gal totes Including: 1 TFT Blitzfire Portable Monitor with Foam Shaper 1 350 gpm in-line eductor 1 125 gpm 1.5" nozzle 1 95 gpm in-line eductor 1 National Foam Gladiator Tri-Flow Foam Nozzle 1 23 gpm Foam Transfer Pump Kit Misc. Fittings and Adapters	\$39,840.01        \$543.50
1	Radio Controlled Monitor (RF) upgrade	\$8,895.00
1	National Foam Universal Gold 1x3, 660 gallons	\$28,115.74
	TOTAL	\$77,394.25

Participating Agency Point of Contact

**Organization:** City of Watertown Fire Department  
**Name:** Dale Herman  
**Title:** Chief  
**Address:** 224 S. Massey Street, Watertown, NY 13601  
**Phone:** (315) 785-7800 (p) / (315) 771-7285 (c)  
**Email:** firechief@watertown-ny.gov



CITY OF WATERTOWN, NEW YORK  
 FIRE DEPARTMENT  
 224 South Massey Street  
 Watertown, New York 13601  
 (315) 785-7800  
 Fax: (315) 785-7821  
 Dale C. Herman, Fire Chief  
 dherman@watertown-ny.gov



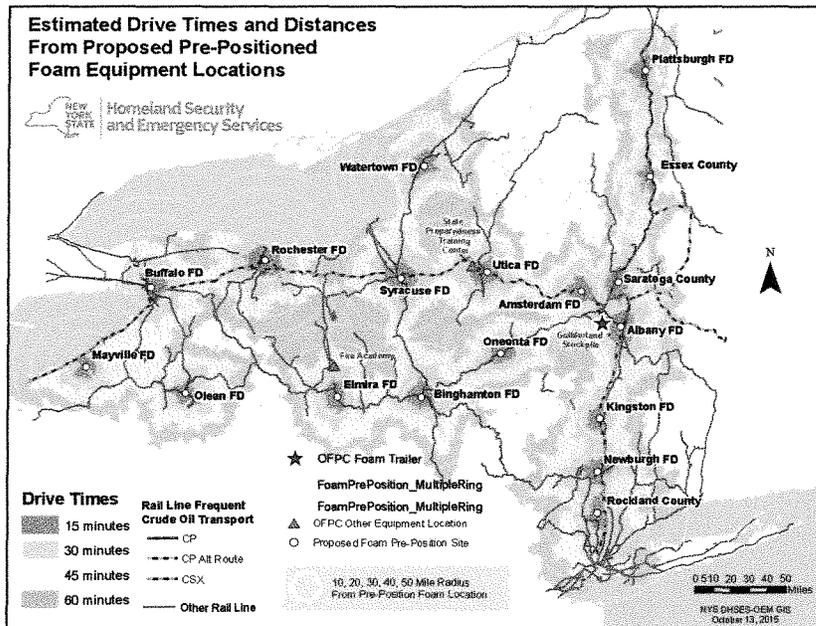
May 18, 2016

Ms. Sharon Addison,  
 City Manager  
 245 Washington Street  
 Watertown NY 13601

Dear Ms. Addison,

In January 2014, Governor Andrew Cuomo issued an Executive Order to review safety procedures and emergency response preparedness related to crude oil transportation. As a result of that review, a Task Force of foam trailers was acquired with the intent of placing those resources across the State to minimize response time to emergencies where this type of resource is needed.

Below is a map of the proposed locations:

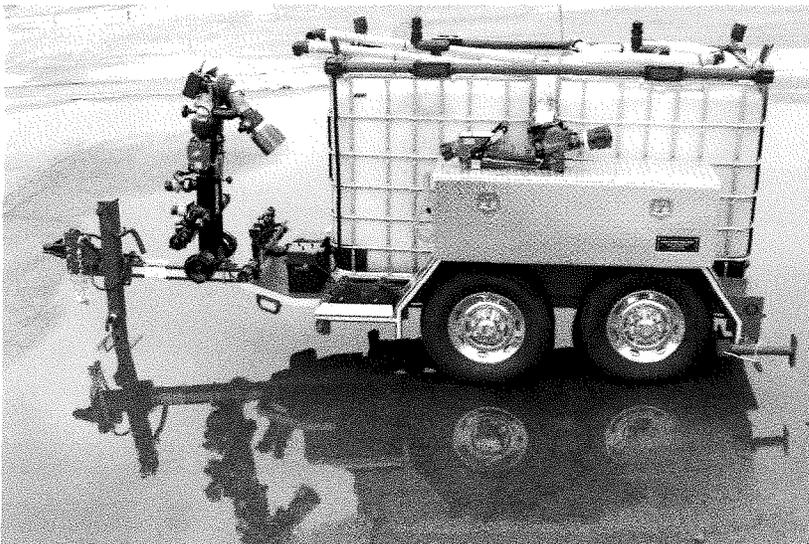


As you can see, Watertown is a proposed location due to the rail system which runs from Syracuse to Massena, as well as its access to the Interstate 81, US Route 11 and NYS Route 37 corridors.

We were contacted by the NYS Division of Homeland Security and Emergency Services (DHSES) to see if the Watertown Fire Department could support the storage of foam trailer as well as be available to deliver and operate this resource when called upon. In return, the State will provide training to our department personnel; reimburse the City for any expenses incurred when the trailer is responding as part of the State Mutual Aid Plan; as well as do periodic inspection and maintenance on the trailer unit.

The acquisition of this foam trailer will aid local and State responders with a resource that is capable of delivering large quantities of alcohol resistive foam concentrate that is in close proximity of transportation routes where accidents occur involving combustible and flammable liquids.

Below is a picture of the foam trailer:



The department currently has room to store this unit at our State Street Fire Station, and this resource will be the only one currently available north of Syracuse and south of Plattsburgh.

Attached is Agreement No. X200017 between NYS DHSES and the City of Watertown for the temporary loan of fire suppression foam equipment. This agreement has been reviewed by Mr. Slye, and all of the criteria are able to be met by both parties.

DHSES is requesting four (4) original signed copies of the agreement, an official letter stating the City is self insured and a copy of Council's resolution be forwarded to them to complete the transaction. Once this is completed, the trailer will be delivered and training will be scheduled.

If you have any questions, please feel free to contact me.

CITY OF WATERTOWN FIRE DEPARTMENT

A handwritten signature in cursive script that reads "Dale C. Herman". The signature is written in black ink and is positioned above the printed name and title.

Dale C. Herman  
Fire Chief, EFO

June 1, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Approving the 2016 Youth & Young Adult Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Workforce Development Area

The City of Watertown has received approval for five (5) training positions under the 2016 Summer Youth & Young Adult Employment Training Program. The Jefferson County Department of Employment and Training will be the employer and, as such, will pay the wages and fringe benefits of the youths employed under this program.

The five positions will be assigned to various departments as follows:

Code Enforcement (Clerical Aide)	1 position
Library (Clerical Aide)	1 position
Wastewater Treatment Plant (Landscape Maintenance Aide)	1 position
Water Treatment Plant (Landscape Maintenance Aide)	1 position
Engineering (Clerical Aide)	1 position

A copy of the Agreement between the City and the Jefferson-Lewis Workforce Development Area is attached for City Council review. A resolution has been prepared for City Council consideration that authorizes the City's participation in the 2016 Summer Youth & Young Adult Employment and Training Program.

# RESOLUTION

Page 1 of 1

Approving the 2016 Youth and Young Adult Employment Training Program Contract Between the City of Watertown and the Jefferson-Lewis Local Workforce Development Area

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

### *Introduced by*

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WHEREAS the Jefferson County Department of Employment and Training and the Jefferson-Lewis Local Workforce Development Area has allocated to the City of Watertown five (5) funded training positions under the Summer Youth & Young Adult Employment Training Program, and

WHEREAS various departments of the City of Watertown can provide training opportunities for young people of the community, and

WHEREAS the City and Jefferson County Department of Employment and Training have cooperated in past years with this same program,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby authorizes the City's participation in the 2016 Summer Youth & Young Adult Employment Training Program, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the Youth & Young Adult Employment Training Program Contract on behalf of the City of Watertown.

### **Seconded by**

# YOUTH & YOUNG ADULT EMPLOYMENT TRAINING PROGRAM

## CONTRACT

Between the following parties:

**Jefferson-Lewis Local Workforce Development Area**  
(hereinafter referred to as WORKFORCE DEVELOPMENT AREA)

AND

**City of Watertown**  
245 Washington St, Rm 302  
Watertown, NY 13601

(hereinafter referred to as WORKSITE)

The parties agree that:

This agreement shall take effect on July 1, 2016 and terminate on August 13, 2016\*.

In return for the **WORKSITE** providing work experience for 5 youth in a manner consistent with the terms and conditions herein contained, the **WORKFORCE DEVELOPMENT AREA** will pay the wages and fringe benefits of such employed youth and young adults. This agreement can be modified only by another written agreement if circumstances warrant.

**FOR THE WORKFORCE DEVELOPMENT AREA**

**FOR THE WORKSITE**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
CHERYL A. MAYFORTH, DIRECTOR

Name and Title

\_\_\_\_\_  
Name and Title

\*represents general program parameters, not necessarily the specific dates of the work experience activity for participants

The **WORKSITE** will comply with the requirements of the **Workforce Innovation and Opportunity Act of 2014 (WIOA)** and the regulations and policies promulgated thereunder.

These requirements include, but are not limited to the following matters:

The **WORKSITE** must:

1. Permit participants to begin work only with prior approval from the **WORKFORCE DEVELOPMENT AREA**.
2. Inform participants of supervisor's name, role, and responsibilities and provide youth the opportunity to relate any problems that might arise.
3. Provide contingency plan for inclement weather when Worksites are outdoors.
4. Notify the **WORKFORCE DEVELOPMENT AREA** within 24 hours of any accidents, special situations, or unusual occurrences.
5. Evaluate each participant with regard to performance as agreed upon by the **WORKFORCE DEVELOPMENT AREA**.
6. Avoid personal and organizational conflict of interest.
7. Avoid paying or receiving kickbacks.
8. Maintain accurate financial and statistical records that are easily traceable to source documents.
9. Prohibit the charging of a fee to a participant for the referral to a job or placement in a job.
10. Avoid nepotism.
11. Avoid political patronage, lobbying or political activities.
12. Avoid involvement with religious or anti-religious activities.
13. Avoid prompting or opposing unionization and avoid employment of a participant in a place involved in a work stoppage.
14. Avoid Maintenance of Effort, meaning that no funds will be used to fill a job opening created by the action of an employer in laying off or terminating the employment of any other regular employee not supported under the Act in anticipation of filling the vacancy so created by hiring an employee to be supported under the Act.
15. Avoid the theft or embezzlement of WIOA funds, improper inducement for employment or contracts, and obstruction of investigation under the Act, its regulations or local policies.
16. Maintain sufficient, auditable and adequate records which support all expenditures under the Act for a period of not less than 3 years after the close of the grant of funds.

17. Recognize the **WORKFORCE DEVELOPMENT AREA'S** mandated obligation to review and monitor any and all worksite activity, and program related records on a regular basis. Therefore, the **WORKSITE** will allow the **WORKFORCE DEVELOPMENT AREA** to have unrestricted access to program related forms or documents whether or not they are **WORKFORCE DEVELOPMENT AREA** forms or **WORKSITE** forms of any source or nature; and the unrestricted right to review worksite activity, with or without prior notification. Furthermore, the **WORKFORCE DEVELOPMENT AREA** has the right to make inquiries to and procure information from **WORKSITE** non-WIOA and WIOA employees for the purpose of monitoring and evaluating program operation.
18. Recognize the **WORKFORCE DEVELOPMENT AREA'S** mandated obligation to have sole control over the intake, eligibility determination and verification of all participants under this contract.
19. Recognize the **WORKFORCE DEVELOPMENT AREA'S** mandated obligation to provide counseling services for all participants so as to improve their employability. To meet this requirement, the **WORKSITE** will allow private consultation and unrestricted observation of participants during participant working hours by counselors. As part of the effort to improve employability to participants, it may be necessary from time to time to allow participants time off during working hours, for a length of time decided by the **WORKFORCE DEVELOPMENT AREA** for workshops, assessment, training, job searches or other related activities. These activities will be permitted and encouraged by the **WORKSITE**. The **WORKFORCE DEVELOPMENT AREA** will also ensure that each participant has proper working papers, if required.
20. Recognize the **WORKFORCE DEVELOPMENT AREA'S** requirement to provide remediation to all program enrollees found deficient in educational skill areas (i.e.-math, reading), as determined by the **WORKFORCE DEVELOPMENT AREA**. As part of the mandate to provide remediation, the **WORKSITE** shall encourage/promote the attendance of youth at the scheduled classes, and not permit the youth to work when he/she should be attending class. Should the youth attend work instead of class, this will be considered as an absence, and not subject to payment of wages for the unauthorized attendance at the worksite. As such, potential liability coverage for the unauthorized attendance and wages may not be allowable under existing workman's compensation coverage provided to program enrollees, thereby making the worksite liable in a case of on-site injury during unauthorized work time.
21. Recognize that the government, all levels, is committed to carry out Affirmative Action to assure equal employment opportunities for all individuals in the labor force.

The County of Jefferson has a commitment to the spirit and intent of Affirmative Action in the operation of the WIOA program. The policy of the United States government on Affirmative Action will be employed in the Jefferson County WIOA program and is stated as follows:

“No person in the United States shall, on the grounds of race, color, religion, sex, national origin, age, handicap, or political affiliation or belief be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment if the administration of or in connection with any program or activity funded in whole or in part with funds made available under this Act.”

The Jefferson County Department of Employment and Training (The WorkPlace) will require all agencies participating in the WIOA program to comply with the intent of Affirmative Action.

22. Recognize that the **WORKFORCE DEVELOPMENT AREA** has full responsibility and authority to operate the complaint and grievance procedures. The grievance procedure will be utilized for any complaint procedure alleging a violation of the Act, regulations, grant, or any other agreement under the Act.
23. Recognize that the **WORKFORCE DEVELOPMENT AREA** shall determine participant time limitation for activities on this program. The **WORKSITE** will immediately inform the **WORKFORCE DEVELOPMENT AREA** of discretionary leaves of absences that might affect participant time limitations. Such leaves of absences are subject to the approval of the **WORKFORCE DEVELOPMENT AREA**.
24. Conform to the policies of the **WORKFORCE DEVELOPMENT AREA**, which is responsible for implementation of the federal job training regulations and other state policies which the **WORKFORCE DEVELOPMENT AREA** may be required or may at its discretion put into effect.
25. Permit the **WORKFORCE DEVELOPMENT AREA** to issue press releases regarding WIOA activities when in the **WORKFORCE DEVELOPMENT AREA's** sole discretion it is advisable. The **WORKSITE** must consult with and receive **WORKFORCE DEVELOPMENT AREA's** approval prior to the issuance of press releases on any activity involving WIOA participants.
26. Notify the **WORKFORCE DEVELOPMENT AREA** immediately of any change in participant's status.
27. Provide adequate on-site supervision for each participant which means that there will be at least one supervisor for every five participants and that a substitute supervisor will be available during the absence of the regular supervisor.
28. Provide sufficient work to occupy participants during working hours including adequate equipment and materials for participants to perform those duties.
29. Provide a safe and healthy working environment and adhere to the provisions of the state child labor laws and applicable federal rules and laws.
30. Provide potential supervisors with sufficient time in order that all immediate worksite supervisor(s) receive orientation as to their duties and responsibilities to the Youth and Young Adult Employment Training Program.
31. Comply with the **WORKFORCE DEVELOPMENT AREA** policy concerning the completion of time sheets and the reporting of attendance as has been detailed by the initial worksite interview and work supervisor orientation. This includes, but is not limited to, the assurance that participants will not be paid for unexcused absences, unworked hours or for solely recreational activities.
32. By signing this contract, the **WORKSITE** certifies the participants of the Youth and Young Adult Employment Training Program is not displacing any currently employed worker, and no individuals are on layoff status from the same job title or substantially equivalent job task which a participant shall be employed in. This also certifies the **WORKSITE** has not terminated the

employment of any regular employee or otherwise reduced the size of the agency workforce for the purpose of filling the vacancy created by hiring a participant.

Page 5 of 7

33. Recognize the **WORKFORCE DEVELOPMENT AREA**'s requirement to provide orientation to participants on program purposes, policies, and procedures.
34. Recognize the **WORKFORCE DEVELOPMENT AREA**'s requirement to provide the **WORKSITE** with instructions and procedure forms.
35. Recognize the **WORKFORCE DEVELOPMENT AREA**'s requirement to provide Labor Market Orientation, Career Exposure Activities, Counseling, and Supportive Services to the participant.
36. Recognize the **WORKFORCE DEVELOPMENT AREA** is to be considered the employer and provide workman's compensation, social security, federal and state income tax. Payroll checks will be mailed on a bi-weekly basis.
37. Recognize that the performance of work under this contract may be terminated by the **WORKFORCE DEVELOPMENT AREA** when, for any reason, it is determined that such termination is in the best interest of the program or when it has been determined that the **WORKSITE** has failed to provide any of the services specified or to comply with any of the provisions contained in the contract. The contract is contingent upon the availability of funding from the New York State Department of Labor. In the event such funding is terminated, the **WORKFORCE DEVELOPMENT AREA** reserves the right to terminate this contract prior to the scheduled determination date.
38. Recognize that trainees will not be terminated without prior notice to the trainee and the **WORKFORCE DEVELOPMENT AREA**, with reasonable opportunity for correction or improvement of performance. This may include, but is not limited to, sub-standard or unsatisfactory progress or conduct.
39. Agree to maintain the confidentiality of any information regarding workers and/or applicants or their families, which may be obtained through application form, interviews, tests, reports from public agencies or counselors, or any other source.

40. Signing of this contract certifies agency compliance with Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participant's Responsibilities, published as Part VII of the May 26, 1988 Federal Register.

Executive Order 12549 states:

The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

\*Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

\*Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

\*Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated the above paragraphs of this certification; and

\*Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this contract.

Complete instructions for certification regarding debarment, suspension, and other responsibility matters are available through the Jefferson County Department of Employment and Training (The WorkPlace).

41. The **EMPLOYER** certifies that it will or will continue to provide a drug-free workplace by:
- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Employer's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - (b) Establishing an ongoing drug-free awareness program to inform employees about:
    - i. The dangers of drug abuse in the work place;
    - ii. The Employer's policy of maintaining a drug-free workplace;
    - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and
    - iv. The penalties that may be imposed upon employees for drug violations occurring in the work place;
  - (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
  - i. Abide by the terms of the statement; and
  - ii. Notify the employer in writing of his/her conviction for a violation of a criminal drug statute occurring in the workplace no later five calendar days after such conviction;
  
- (e) Notify the Jefferson County Department of Employment and Training in writing, within ten calendar days after receiving notice under paragraph (d)(ii.) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice will include the identification number(s) of each affected grant;
  
- (f) Taking one of the following action within 30 calendar days of receiving notice under paragraph (d)(ii.), with respect to any employee who is so convicted:
  - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - ii. Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
  
- (g) Making a good faith effort to continue to maintain a drug-free work place through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

Resolution No. 5

June 1, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning & Community Development Director

Subject: Approving the Special Use Permit Request Submitted by Matthew R. Morgia, of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000

Matthew R. Morgia, of Aubertine & Currier, PLLC has submitted the above subject Special Use Permit request on behalf of the Samaritan Medical Center.

The City Planning Board reviewed the request at its May 3, 2016 meeting, and voted to recommend that the City Council approve the Special Use Permit as submitted. Attached are the report prepared for the Planning Board and an excerpt from its minutes.

A public hearing is required before the City Council may vote on the resolution. It is recommended that a public hearing be scheduled for 7:30 p.m. on Monday, June 20, 2016.

# RESOLUTION

Page 1 of 1

Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.  
 Total .....

YEA	NAY

### *Introduced by*

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WHEREAS Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center, has made an application for a Special Use Permit to allow a parking lot as the sole use of the property located at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000.

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on May 3, 2016, and recommended that the City Council of the City of Watertown approve the request as submitted, and

WHEREAS a public hearing was held on the proposed Special Use Permit on June 20, 2016, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part II and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow a parking lot is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that a Special Use Permit is hereby granted to Samaritan Medical Center to allow a parking lot as the sole use of the property located at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000.

### **Seconded by**



# CITY OF WATERTOWN, NEW YORK

245 Washington Street, Watertown, NY 13601  
Office: (315) 785-7740 – Fax: (315) 785-7829

## Special Use Permit Application

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### APPLICANT INFORMATION

Name: Aubertine and Currier PLLC attn. Matt Morgia P.E.

Mailing Address: 522 Bradley Street Watertown, NY 13601

Phone Number: 315-782-2005

Email: [mrm@aubertinecurrier.com](mailto:mrm@aubertinecurrier.com)

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### PROPERTY INFORMATION

Property Address: 150,154,158 Woodruff Street

Tax Parcel Number(s): 14-01-112.000, 14-01-113.000, 14-01-114.000

Property Owner (if not applicant): Samaritan Medical Center

If applicant is not owner or owner's representative, indicate interest in the property:

Signed Purchase Agreement (attach)       Signed Lease (attach)       None yet

Zoning District: Health Services

Land Use: Mixed use of Residential and Commercial

Required Attachments:

- 8.5x11 parcel map with property outlined with heavy black ink
- Sketch of the site drawn to an engineering scale (e.g. 1"=20')
- Completed Part I of the Environmental Assessment Form (SEQR)

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### REQUEST DETAILS

Proposed Use: Parking Area Expansion

Explain proposal (use additional 8.5x11 sheets if necessary):

Expanding the existing parking area to provide additional parking spaces for the Samaritan Medical Center located at 830 Washington Street. Additional parking is required for the proposed Cancer Center Addition and the Women's and Children's Addition.

I certify that the information provided in this application is true to the best of my knowledge.

Signature:

Date:

04/21/2016

December 1, 2015



# MEMORANDUM

## CITY OF WATERTOWN – PLANNING OFFICE

245 Washington Street, Suite 304, Watertown, New York 13601

Phone: 315-785-7740 – Fax: 315-782-7829

**TO:** Planning Board Members

**FROM:** Michael A. Lumbis, Planning and Community Development Director

**SUBJECT:** Special Use Permit Approval – 150, 154, 158 Woodruff Street

**DATE:** April 28, 2016

**Request:** Special Use Permit to allow a parking lot at 150, 154, 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000, and 14-01-114.000.

**Applicant:** Matthew R. Morgia, P.E., Aubertine & Currier

**Proposed Use:** Parking lot

**Property Owner:** Samaritan Medical Center

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**Submitted:**

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8 ½" x 11" Copy of Parcel Map: Yes

A Sketch of the Site to Scale: Yes

Completed Part I of an  
Environmental Assessment Form: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

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**Comments:** The applicant proposes to build a parking lot as the sole use of the property. The parking lot would be constructed on three separate parcels, in place of three existing houses. Samaritan Medical Center owns the subject property and the parking lot will be utilized for the hospital. Since the proposed parking area is located on parcels that are separate from the parcel containing the principal use, a Special Use Permit is required.

As depicted on the plans, the parking lot does not meet setback requirements; however the applicant has applied for a variance. The applicant is requesting a variance to reduce the 20' parking setback to 4'-2" (79.15% reduction) along the north side of Woodruff Street. The area variance would be required to accommodate 118 spaces in the new parking area. The 4'-2" parking setback would be consistent with the 4'-2" parking setback for the existing Woodruff Street North Parking which was obtained through a variance in 2002. The variance was granted contingent upon 4' of landscaping along the front of the parking lot, landscaping around the perimeter of the lot and contingent and upon the addition of a full length curb around the perimeter of the parking lot. The 118 spaces are required to meet the 1,227 spaces required for the entire Samaritan Medical Center Complex. The ZBA is scheduled to hold a public hearing on this request at its May 18, 2016 meeting.

Site plan approval is also required for construction of the proposed parking lot. The details of the any required landscaping can be addressed during that review. The applicant has submitted site plan application materials that will also be discussed at the Planning Board meeting.

Surrounding uses include detached housing to the immediate east, and north; as well as the Samaritan Medical Center to the immediate south that will be served by the proposed parking lot and an already existing Health Services District parking lot.

Special Use permits require City Council approval after recommendation from the Planning Board and a Public Hearing. The procedure is outlined in Section 310.67 of the Zoning Ordinance. The standards are in Section 310-52.3. Details for a special use permit for vehicle storage and off-street parking facilities are outline in Section 310-51(B).

cc: City Council Members  
Brian Drake, Civil Engineer II  
Matthew R. Morgia, P.E., Aubertine & Currier, 522 Bradley St.



## CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD  
ROOM 304, WATERTOWN CITY HALL  
245 WASHINGTON STREET  
WATERTOWN, NEW YORK 13601-3380  
(315) 785-7740

MEETING: May 3, 2016

PRESENT:

Larry Coburn, Chairperson  
Linda Fields  
Neil Katzman  
Anthony Neddo  
Steve Rowell  
Michelle Capone

ALSO:

Michael A. Lumbis, Planning & Community  
Development Director  
Jeffrey Polkowski, Planner  
Geoffrey Urda, Planner  
Brian Drake, Civil Engineer II  
Russell Randall, Deputy Fire Chief

ABSENT:

None

The May 3, 2016 Planning Board Meeting was called to order at 3:01 PM by Planning Board Chair Larry Coburn. Mr. Coburn called for a reading of the Minutes from the April 5, 2016 Planning Board Meeting. Ms. Fields made a motion to accept the minutes as written. The motion was seconded by Mr. Katzman and all voted in favor.

**SPECIAL USE PERMIT  
150, 154, 158 WOODRUFF STREET –  
PARCEL NUMBERS 14-01-112.000, 14-01-113.000 and 14-01-114.000**

The Planning Board then considered a request submitted by Matthew R. Morgia, P.E. of Aubertine and Currier, PLLC on behalf of Samaritan Medical Center for a Special Use Permit to allow a parking lot at 150, 154 and 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000 and 14-01-114.000.

Mr. Morgia, as well as Thomas Carmen and Chris Bastien of Samaritan Medical Center were in attendance to represent the request.

Mr. Polkowski noted that Samaritan Medical Center had two Special Use Permit applications as well as a Site Plan application before the Planning Board today, but that the Planning Board would not be able to act on the latter, because it still had four variance requests pending before the Zoning Board of Appeals (ZBA).

Ms. Capone then moved to recommend that City Council approve the request submitted by Matthew R. Morgia, P.E. of Aubertine and Currier, PLLC on behalf of Samaritan Medical Center for a Special Use Permit to all a parking lot at 150, 154 and 158 Woodruff Street, Respective Parcel Numbers 14-01-112.000, 14-01-113.000 and 14-01-114.000.

Mr. Katzman seconded the motion and all voted in favor.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>				
Name of Action or Project: Samaritan Medical Center				
Project Location (describe, and attach a location map): City of Watertown Tax Parcel No.'s 14-01-101, 14-01-102, 14-01-112, 14-01-113, 14-01-114, 14-01-139 and 14-02-101.110				
Brief Description of Proposed Action: Proposed expansion of the existing Samaritan Medical Center will include the construction of a Cancer Center Addition and parking area reconstruction, a Women's and Children's Addition and parking area reconstruction, parking area expansion on the northwest side of Woodruff St. and a new parking area located at the intersection of Woodruff St. and Washington St. Site amenities will include the construction of new sidewalks, site lighting and landscaping. Site utility construction will include the relocation of existing utilities and new utilities that include domestic water and fire service, sanitary sewer, stormwater system, gas, electric and underground fuel oil tank. The proposed action will also include an Area Variances request along Woodruff Street and Sherman Street for the construction of additional vehicle parking areas required for the proposed Cancer Center Addition and Women's and Children's Addition.				
Name of Applicant or Sponsor: Samaritan Medical Center, attn Chris Bastien		Telephone: 315-782-6866 E-Mail: cbastien@shsny.com		
Address: 830 Washington Street				
City/PO: Watertown	State: New York	Zip Code: 13601		
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Area Variances from ZBA Site Plan referral from Planning Board and City Council Approval			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.83 acres		
b. Total acreage to be physically disturbed?		3.83 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		17.4 acres		
4. Check all land uses that occur on, adjoining and near the proposed action. <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Medical Center/Hospital</u> <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?  b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?  b. Are public transportation service(s) available at or near the site of the proposed action?  c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES  b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES Stormwater runoff will flow into the City of Watertown Municipal Storm Sewer System	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	

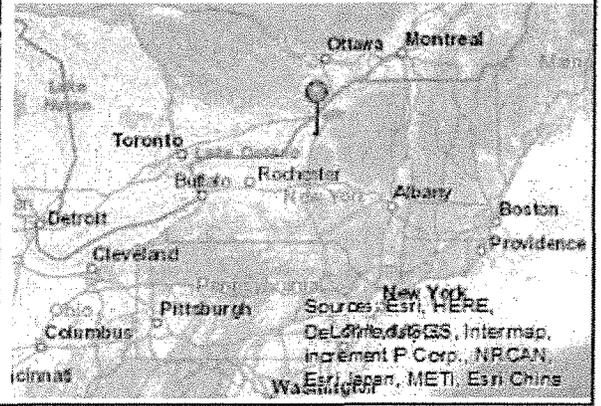
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	NO  <input type="checkbox"/>	YES  <input checked="" type="checkbox"/>

I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor name: Chris Bantier, ACP SPT Sub Date: 3-28-16  
 Signature: \_\_\_\_\_



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

## SHORT EAF SUMMARY REPORT:

The Short EAF was completed utilizing the online NYSDEC EAF Mapper. The Mapper will provide yes or no answers to certain parts of the Short EAF. If the mapper answered yes to any of the questions, supplemental information was provided below.

Narrative Description for Part 1; Questions 15.

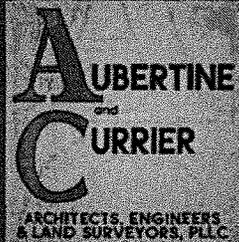
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Narrative Description for Part 1; Questions 20.

If the question was answered "yes" the proposed action or lands may be within a 2,000 foot buffer of a (ongoing or completed) remediation project of hazard waste.

Reviewing the online NYSDEC Environmental Navigator, it appears that there was a Voluntary Cleanup Program Site located near the intersection of Washington Street and Chestnut Street. This site is located approximately 1,700 feet away from the proposed action.



NYS WBE/DBE Certified  
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522 Bradley Street  
Watertown, New York 13601

Phone: 315.782.2005

Fax: 315.782.1472

Managing Partner  
Annette M. Mason, P.E.  
Structural Engineer

#### Partners

Michael L. Aubertine, R.A.  
Architect

Patrick J. Currier, R.A.  
Architect

Brian A. Jones, AIA,  
LEED AP BD+C  
Architect

Matthew R. Morgia, P.E.  
Civil Engineer

Jayson J. Jones, P.L.S.  
Land Surveyor

Project:

Date:

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
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5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

### ***Short Environmental Assessment Form Part 3 Determination of Significance***

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
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)

**PRINT FORM**

Resolution No. 6

June 1, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning & Community Development Director

Subject: Approving the Special Use Permit Request Submitted by Matthew R. Morgia, of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000

Matthew R. Morgia, of Aubertine & Currier has submitted the above subject Special Use Permit request on behalf of the Samaritan Medical Center.

The City Planning Board reviewed the request at its May 3, 2016 meeting, and voted to recommend that the City Council approve the Special Use Permit as submitted. Attached are the report prepared for the Planning Board and an excerpt from its minutes.

A public hearing is required before the City Council may vote on the resolution. It is recommended that a public hearing be scheduled for 7:30 p.m. on Monday, June 20, 2016.

# RESOLUTION

Page 1 of 1

Approving the Special Use Permit Request Submitted by Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center to Allow a Parking Lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.  
 Total .....

YEA	NAY

**Introduced by**

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WHEREAS Matthew R. Morgia of Aubertine & Currier, PLLC, on behalf of Samaritan Medical Center, has made an application for a Special Use Permit to allow a parking lot as the sole use of the property located at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000,

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on May 3, 2016, and recommended that the City Council of the City of Watertown approve the request as submitted, and

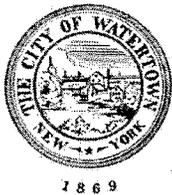
WHEREAS a public hearing was held on the proposed Special Use Permit on June 20, 2016, after due public notice, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part II and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow a parking lot is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown, that a Special Use Permit is hereby granted to Samaritan Medical Center to allow a parking lot as the sole use of the property located at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000.

**Seconded by**



# CITY OF WATERTOWN, NEW YORK

245 Washington Street, Watertown, NY 13601

Office: (315) 785-7740 - Fax: (315) 785-7829

## Special Use Permit Application

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### APPLICANT INFORMATION

Name: Aubertine and Currier PLLC attn. Matt Morgia P.E.

Mailing Address: 522 Bradley Street Watertown, NY 13601

Phone Number: 315-782-2005

Email: mrm@aubertinecurrier.com

---

### PROPERTY INFORMATION

Property Address: 110 Woodruff Street, 724 and 728 Washington Street

Tax Parcel Number(s): 14-01-102.000, 14-01-139.000, 14-01-101.000

Property Owner (if not applicant): Samaritan Medical Center

If applicant is not owner or owner's representative, indicate interest in the property:

Signed Purchase Agreement (attach)       Signed Lease (attach)       None yet

Zoning District: Health Services

Land Use: Commercial and Vacant lots

Required Attachments:

- 8.5x11 parcel map with property outlined with heavy black ink
- Sketch of the site drawn to an engineering scale (e.g. 1"=20')
- Completed Part I of the Environmental Assessment Form (SEQR)

---

### REQUEST DETAILS

Proposed Use: Parking Area

Explain proposal (use additional 8.5x11 sheets if necessary):

New parking area to provide additional parking spaces for the Samaritan Medical Center located at 830 Washington Street. Additional parking is required for the proposed Cancer Center Addition and the Women's and Children's Addition.

I certify that the information provided in this application is true to the best of my knowledge.

Signature:

*Matt Morgia*

Date:

04/21/2016

December 1, 2015



# MEMORANDUM

## CITY OF WATERTOWN – PLANNING OFFICE

245 Washington Street, Suite 304, Watertown, New York 13601

Phone: 315-785-7740 – Fax: 315-782-7829

**TO:** Planning Board Members

**FROM:** Michael A. Lumbis, Planning and Community Development Director

**SUBJECT:** Special Use Permit Approval – 110 Woodruff Street; 724 and 728 Washington Street

**DATE:** April 28, 2016

**Request:** Special Use Permit to allow a parking lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000.

**Applicant:** Matthew R. Morgia, P.E., Aubertine & Currier

**Proposed Use:** Parking lot

**Property Owner:** Samaritan Medical Center

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### Submitted:

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8 ½" x 11" Copy of Parcel Map: Yes

A Sketch of the Site to Scale: Yes

Completed Part I of an  
Environmental Assessment Form: Yes

SEQRA: Unlisted Action

County Planning Board Review Required: No

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**Comments:** The applicant proposes to build a parking lot as the sole use of the property. The parking lot would be constructed on three separate parcels, in place of three existing houses. Samaritan Medical Center owns the subject property and the parking lot will be utilized for the hospital. Since the proposed parking area is located on parcels that are separate from the parcel containing the principal use, a Special Use Permit is required.

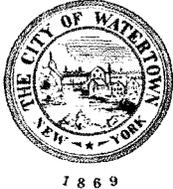
As depicted on the plans, the parking lot does not meet setback requirements; however the applicant has applied for a variance. The applicant is requesting a variance to reduce the 20' parking setback to 4'-2" (79.15% reduction) along the north side of Woodruff Street. The area variance would be required to accommodate 27 spaces in the new parking area. The 4'-2" parking setback would be consistent with the 4'-2" parking setback for the existing Woodruff Street North Parking which was obtained through a variance in 2002. The variance was granted contingent upon 4' of landscaping along the front of the parking lot, landscaping around the perimeter of the lot and contingent and upon the addition of a full length curb around the perimeter of the parking lot. The 27 spaces are required to meet the 1,227 spaces required for the entire Samaritan Medical Center Complex. The ZBA is scheduled to hold a public hearing on this request at its May 18, 2016 meeting.

Site plan approval is also required for construction of the proposed parking lot. The details of the any required landscaping can be addressed during that review. The applicant has submitted site plan application materials that will also be discussed at the Planning Board meeting.

Surrounding uses include detached housing to the immediate west, limited businesses to the north, a Health Services District office building to the immediate east; as well as the Samaritan Medical Center to the immediate south that will be served by the proposed parking lot. Further west of the subject property are additional Health Services District parking facilities.

Special Use permits require City Council approval after recommendation from the Planning Board and a Public Hearing. The procedure is outlined in Section 310.67 of the Zoning Ordinance. The standards are in Section 310-52.3. Details for a special use permit for vehicle storage and off-street parking facilities are outlined in Section 310-51(B).

cc: City Council Members  
Brian Drake, Civil Engineer II  
Matthew R. Morgia, P.E., Aubertine & Currier, 522 Bradley St.



## CITY OF WATERTOWN, NEW YORK

CITY PLANNING BOARD  
ROOM 304, WATERTOWN CITY HALL  
245 WASHINGTON STREET  
WATERTOWN, NEW YORK 13601-3380  
(315) 785-7740

MEETING: May 3, 2016

PRESENT:

Larry Coburn, Chairperson  
Linda Fields  
Neil Katzman  
Anthony Neddo  
Steve Rowell  
Michelle Capone

ALSO:

Michael A. Lumbis, Planning & Community  
Development Director  
Jeffrey Polkowski, Planner  
Geoffrey Urda, Planner  
Brian Drake, Civil Engineer II  
Russell Randall, Deputy Fire Chief

ABSENT:

None

The May 3, 2016 Planning Board Meeting was called to order at 3:01 PM by Planning Board Chair Larry Coburn. Mr. Coburn called for a reading of the Minutes from the April 5, 2016 Planning Board Meeting. Ms. Fields made a motion to accept the minutes as written. The motion was seconded by Mr. Katzman and all voted in favor.

### **SPECIAL USE PERMIT**

**724 AND 728 WASHINGTON STREET AND 110 WOODRUFF STREET –  
PARCEL NUMBERS 14-01-139.000, 14-01-101.000 and 14-01-102.000**

The Planning Board then considered a request submitted by Matthew R. Morgia, P.E. of Aubertine and Currier, PLLC on behalf of Samaritan Medical Center for a Special Use Permit to allow a parking lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000.

Mr. Morgia, as well as Thomas Carmen and Chris Bastien of Samaritan Medical Center were in attendance to represent the request.

Ms. Capone then moved to recommend that City Council approve the request submitted by Matthew R. Morgia, P.E. of Aubertine and Currier, PLLC on behalf of Samaritan Medical Center for a Special Use Permit to allow a parking lot at 724 and 728 Washington Street and 110 Woodruff Street, Respective Parcel Numbers 14-01-139.000, 14-01-101.000 and 14-01-102.000.

Ms. Fields seconded the motion and all voted in favor.

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

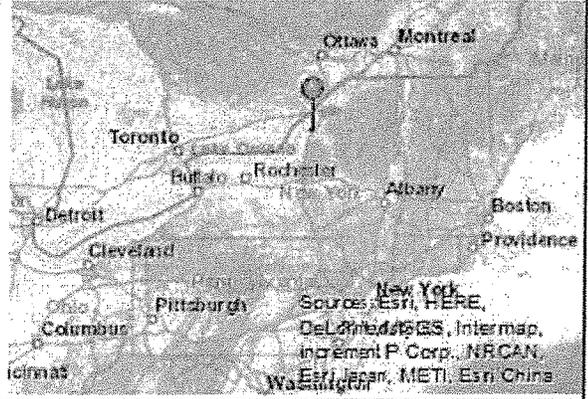
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Name of Action or Project: Samaritan Medical Center			
Project Location (describe, and attach a location map): City of Watertown Tax Parcel No.'s 14-01-101, 14-01-102, 14-01-112, 14-01-113, 14-01-114, 14-01-139 and 14-02-101.110			
Brief Description of Proposed Action: Proposed expansion of the existing Samaritan Medical Center will include the construction of a Cancer Center Addition and parking area reconstruction, a Women's and Children's Addition and parking area reconstruction, parking area expansion on the northwest side of Woodruff St. and a new parking area located at the intersection of Woodruff St. and Washington St. Site amenities will include the construction of new sidewalks, site lighting and landscaping. Site utility construction will include the relocation of existing utilities and new utilities that include domestic water and fire service, sanitary sewer, stormwater system, gas, electric and underground fuel oil tank. The proposed action will also include an Area Variances request along Woodruff Street and Sherman Street for the construction of additional vehicle parking areas required for the proposed Cancer Center Addition and Women's and Children's Addition.			
Name of Applicant or Sponsor: Samaritan Medical Center, attn Chris Bastien		Telephone: 315-782-6866	
		E-Mail: cbastien@shsny.com	
Address: 830 Washington Street			
City/PO: Watertown		State: New York	Zip Code: 13601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Area Variances from ZBA Site Plan referral from Planning Board and City Council Approval			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		3.83 acres	
b. Total acreage to be physically disturbed?		3.83 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		17.4 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input checked="" type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Medical Center/Hospital</u>			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p>		
<p>Applicant/sponsor name: <u>Chris Barker, ACP SPT Sub</u> Date: <u>3-28-16</u></p>		
<p>Signature: _____</p>		

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Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
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Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	Yes

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Land Surveyor

Project:

Date:

**Short Environmental Assessment Form  
Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
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7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Agency Use Only [If applicable]

Project:

Date:

### *Short Environmental Assessment Form Part 3 Determination of Significance*

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.

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.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
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)

**PRINT FORM**

Res No. 7

June 2, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning & Community Development Director

Subject: Finding that the Proposed Wastewater Treatment Plant Sludge Disposal Modification Project Will Not Have a Significant Impact on the Environment

On April 4, 2016, the City Council completed the State Environmental Quality Review (SEQR) for the proposed Wastewater Treatment Plant Sludge Disposal Modification Project as part of the City's application for funding for the project through the New York State Environmental Facilities Corporation (NYS EFC). The Council conducted the review using the Short Environmental Assessment Form and issued a Negative Declaration under SEQR after finding the project would not have a significant impact on the environment. The completed SEQR documentation was sent to the NYS EFC as part of the application materials.

Since the submission of the application, the NYS EFC has notified the City that the grant application will require the City to initiate a coordinated review under SEQR and complete a Full Environmental Assessment Form rather than the Short Form. Since our original submission, NYS EFC has also extended the application deadline. Applications are now due June 20, 2016.

As part of the coordinated review process, a Lead Agency must be established from the list of all involved agencies. An involved agency is an agency that has the authority to fund, approve or undertake an action. In addition to the City, Staff identified the NYS EFC, the NYS Department of Health, the NYS Department of Environmental Conservation and the NYS Energy Research and Development Authority as the involved agencies.

The Lead Agency is normally the involved agency principally responsible for carrying out, funding or approving an action. Staff sent out letters to all of the involved agencies stating that the City Council should be the Lead Agency as the City would be principally responsible for carrying out the project. The letter requested concurrence from each agency regarding the City's desire to be the Lead Agency.

Responses were received from all of the identified involved agencies and, they concur with the City Council acting as the Lead Agency. Copies of all of the correspondence are attached.

As Lead Agency, the City Council must respond to the questions in Part 2, and Part 3 if necessary, of the Full Environmental Assessment Form before it may vote on the resolution.

The resolution prepared for City Council consideration states that the Proposed Wastewater Treatment Plant Sludge Disposal Modification Project will not have a significant impact on the environment.

# RESOLUTION

Page 1 of 2

Finding That the Proposed Wastewater Treatment Plant Sludge Disposal Modification Project Will Not Have a Significant Impact on the Environment

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

***Introduced by***

---

WHEREAS the City Council of the City of Watertown, New York, is planning to undertake the proposed Wastewater Treatment Plant Sludge Disposal Modification Project and is applying for funding for the project through the New York State Environmental Facilities Corporation, 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 construction of the proposed project would constitute such an “Action,” and

WHEREAS the City Council has determined that the proposed project is an “Unlisted Action ” as that term is defined by 6NYCRR Section 617.2(ak), and

WHEREAS a coordinated review was initiated with other involved agencies, as that term is defined in 6NYCRR Section 617.2(s), and

WHEREAS none of the other involved agencies have objected 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 I 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 Proposed Wastewater Treatment Plant Sludge Disposal Modification Project Will Not Have a Significant Impact on the Environment

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

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

1. The City Council is hereby established as the Lead Agency.
2. Based upon its examination of the Full Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact is known and the construction of the proposed 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 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**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: Sludge Disposal Process Modification		
Project Location (describe, and attach a general location map): 700 William T. Field Dr., Watertown NY 13601		
Brief Description of Proposed Action (include purpose or need): The City of Watertown Waste Water Treatment Plant (WWTP) was originally constructed in the mid-1960s and includes primary and secondary digester units and fluidized bed and incinerator. Since 2008, the digesters have been operating in an "idle" mode to maximize volatile solids content in the sludge incinerator. The City proposes to modify existing facilities within the current WWTP site from a conventional anaerobic sludge digestion to high-rate digestion with sludge pretreatment by thermal hydrolysis. To do this, the proposed project includes the following process improvements and ancillary modification: demolition of existing sludge incineration system; installation of sludge dewatering equipment; installation of thermal hydrolysis and associated equipment, including odor control; upgrade of existing digester mixing and heating systems; replacement of existing dewatering sludge belt conveyor and construction of small 400 SF building addition for truck loading of biosolids; replacement of one or two existing influent raw sewage pumps with new engine-driven pumps powered by digester gas; construction of 23,744 SF pole-barn structure sized for 6-month storage capacity and provided with paved surface and push walls to assist with biosolids handling; construction of waste hauler receiving station with screening and grit removal equipment.		
Name of Applicant/Sponsor: City of Watertown	Telephone: (315) 785-7884	E-Mail: jpolkowski@watertown-ny.gov
Address: 245 Washington St.		
City/PO: Watertown	State: New York	Zip Code: 13601
Project Contact (if not same as sponsor; give name and title/role): Michael Sligar, Water Superintendent	Telephone: (315) 785-7757	E-Mail: msligar@watertown-ny.gov
Address: 245 Washington St., Suite 202		
City/PO: Watertown	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone:	E-Mail:
Address:		
City/PO:	State:	Zip Code:

**B. Government Approvals**

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	City Council	June, 20th 2016
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City Council, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC, NYSEFC, DOH	June, 20th 2016
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
<b>i. Coastal Resources.</b> <i>i.</i> Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <i>ii.</i> Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>iii.</i> Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

**C. Planning and Zoning**

<b>C.1. Planning and zoning actions.</b>	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• <b>If Yes</b>, complete sections C, F and G.</li> <li>• <b>If No</b>, proceed to question C.2 and complete all remaining sections and questions in Part 1</li> </ul>	
<b>C.2. Adopted land use plans.</b>	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): <u>Black River Watershed Management Plan (2010)</u> _____ _____	
c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s): _____ _____ _____	

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Waterfront

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Watertown City School District

b. What police or other public protection forces serve the project site?  
City of Watertown Police Department

c. Which fire protection and emergency medical services serve the project site?  
City of Watertown Fire Department

d. What parks serve the project site?  
City of Watertown Parks & Recreation Department

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Industrial

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ 22.5 acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ .5 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ 22.5 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % ~5 Units: .5 acres

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) \_\_\_\_\_  
ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? \_\_\_\_\_  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: \_\_\_\_\_ months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_ 2  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ 6 month \_\_\_\_\_ 2 year  
• Anticipated completion date of final phase \_\_\_\_\_ 6 month \_\_\_\_\_ 2 year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

Phase 1: Incinerator Decommissioning, Dewatered Biosolids Conveyance and Storage; Biogas Conditioning and Beneficial Reuse. Phase 2: Incinerator Demolition, Sludge Thickening and Primary Digester Improvements; Digester Capacity Evaluation; Enhanced Digestion. Phase 2 contingent on Phase 1.

f. Does the project include new residential uses?  Yes  No  
 If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,

i. Total number of structures \_\_\_\_\_ 2

ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ 32 height; \_\_\_\_\_ 212 width; and \_\_\_\_\_ 112 length

iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?  Yes  No  
 If Yes,

i. Purpose of the impoundment: \_\_\_\_\_

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_

iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_

iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres

v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)  
 If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): \_\_\_\_\_
- Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. \_\_\_\_\_

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No  
 If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No  
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

iii. Will proposed action cause or result in disturbance to bottom sediments?  Yes  No  
If Yes, describe: \_\_\_\_\_

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:  
i. Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If, Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:  
i. Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day  
ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No

- Do existing sewer lines serve the project site?  Yes  No
- Will line extension within an existing district be necessary to serve the project?  Yes  No

 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_  
 \_\_\_\_\_

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

---

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?  Yes  No  
 If Yes:
 

- How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- Describe types of new point sources. \_\_\_\_\_
- Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  
 \_\_\_\_\_  
 \_\_\_\_\_
  - If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
  - Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations?  Yes  No  
 If Yes, identify:
 

- Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  
 \_\_\_\_\_
- Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)  
 \_\_\_\_\_
- Stationary sources during operations (e.g., process emissions, large boilers, electric generation)  
 Incinerator decommissioning will result in less air emissions.

---

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit?  Yes  No  
 If Yes:
 

- Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year)  Yes  No
- In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?  Yes  No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

---

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?  Yes  No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

---

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?  Yes  No

If Yes:

i. When is the peak traffic expected (Check all that apply):  Morning  Evening  Weekend  
 Randomly between hours of 8:00 AM to 4:00 PM.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: 660/year

iii. Parking spaces: Existing 20 Proposed 20 Net increase/decrease 0

iv. Does the proposed action include any shared use parking?  Yes  No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
Proposed action does not include any modification of existing roads, creation of new roads or change in existing access. Existing road network is adequate for additional traffic.

---

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site?  Yes  No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles?  Yes  No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes?  Yes  No

---

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?  Yes  No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation?  Yes  No

---

l. Hours of operation. Answer all items which apply.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hr/day</u></li> <li>• Saturday: <u>24 hr/day</u></li> <li>• Sunday: <u>24 hr/day</u></li> <li>• Holidays: <u>24 hr/day</u></li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: <u>24 hr/day</u></li> <li>• Saturday: <u>24 hr/day</u></li> <li>• Sunday: <u>24 hr/day</u></li> <li>• Holidays: <u>24 hr/day</u></li> </ul>
--	---

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  Yes  No

If yes:

i. Provide details including sources, time of day and duration:

\_\_\_\_\_

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  Yes  No

Describe: \_\_\_\_\_

---

n.. Will the proposed action have outdoor lighting?  Yes  No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

\_\_\_\_\_

\_\_\_\_\_

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  Yes  No

Describe: \_\_\_\_\_

---

o. Does the proposed action have the potential to produce odors for more than one hour per day?  Yes  No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: \_\_\_\_\_

Project is intended to reduce energy consumption by converting biosolids to energy. Odor control will be provided to abate the production of odors.

---

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  Yes  No

If Yes:

i. Product(s) to be stored \_\_\_\_\_

ii. Volume(s) \_\_\_\_\_ per unit time \_\_\_\_\_ (e.g., month, year)

iii. Generally describe proposed storage facilities: \_\_\_\_\_

---

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  Yes  No

If Yes:

i. Describe proposed treatment(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ii. Will the proposed action use Integrated Pest Management Practices?  Yes  No

---

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  Yes  No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)
- Operation : \_\_\_\_\_ tons per \_\_\_\_\_ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: \_\_\_\_\_
- Operation: \_\_\_\_\_

s. Does the proposed action include construction or modification of a solid waste management facility?  Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action**

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)  
 Forest  Agriculture  Aquatic  Other (specify): Active Waste Water Treatment Plant

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	11	11.5	+ .5
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	6	5.5	- .5
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: City owned recreational area is located adjacent to the site.

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d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?  Yes  No  
If Yes,  
i. Identify Facilities:  
\_\_\_\_\_

---

e. Does the project site contain an existing dam?  Yes  No  
If Yes:  
i. Dimensions of the dam and impoundment:  

- Dam height: \_\_\_\_\_ feet
- Dam length: \_\_\_\_\_ feet
- Surface area: \_\_\_\_\_ acres
- Volume impounded: \_\_\_\_\_ gallons OR acre-feet

ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection:  
\_\_\_\_\_

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility?  Yes  No  
If Yes:  
i. Has the facility been formally closed?  Yes  No  

- If yes, cite sources/documentation: \_\_\_\_\_

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:  
Soil data suggests that location was once used for refuse disposal, however are suitable for biosolid storage. These soils have not been assigned to a capability subclass.  
iii. Describe any development constraints due to the prior solid waste activities: None

---

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste?  Yes  No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:  
\_\_\_\_\_

---

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site?  Yes  No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply:  Yes  No  
 Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
 Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
 Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database?  Yes  No  
If yes, provide DEC ID number(s): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_

v. Is the project site subject to an institutional control limiting property uses?  Yes  No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place?  Yes  No
- Explain: \_\_\_\_\_

**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 6 - >20 feet

b. Are there bedrock outcroppings on the project site?  Yes  No  
 If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Agawam fine sandy loam	_____	2 %
Udorthents, refuse substratum	_____	78.4%
Udorthents, smoothed	_____	19.4%

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ >10 feet

e. Drainage status of project site soils:  Well Drained: \_\_\_\_\_ 10 % of site  
 Moderately Well Drained: \_\_\_\_\_ 80 % of site  
 Poorly Drained \_\_\_\_\_ 10 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 100 % of site  
 10-15%: \_\_\_\_\_ % of site  
 15% or greater: \_\_\_\_\_ % of site

g. Are there any unique geologic features on the project site?  Yes  No  
 If Yes, describe: \_\_\_\_\_

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)?  Yes  No

ii. Do any wetlands or other waterbodies adjoin the project site?  Yes  No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency?  Yes  No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 805-10 Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name Federal Waters, Federal Waters, Federal Waters,... Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) Nearest wetland is 4,400 ft. from project

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies?  Yes  No  
 If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

i. Is the project site in a designated Floodway?  Yes  No

j. Is the project site in the 100 year Floodplain?  Yes  No

k. Is the project site in the 500 year Floodplain?  Yes  No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer?  Yes  No  
 If Yes:  
 i. Name of aquifer: Principal Aquifer

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>Typical suburban wildlife _____</p> <p>Indiana Bat _____</p> <p>Northern Long Eared Bat _____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>The protected Indiana bats and Northern Long-eared bats are known to use the habitat along the Black River corridor. They have protection as threatened and endangered species under Article 11 of the Environmental Conservation Law and 6 NYCRR Part 182 regulations. However, because no tree cutting or brush clearing is involved in this project, it is not considered an issue.</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p style="margin-left: 20px;">Project is adjacent to a small informal fishing access area. The scope of this project will not affect this use.</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

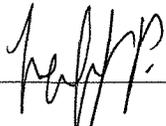
Attach any additional information which may be needed to clarify your project.

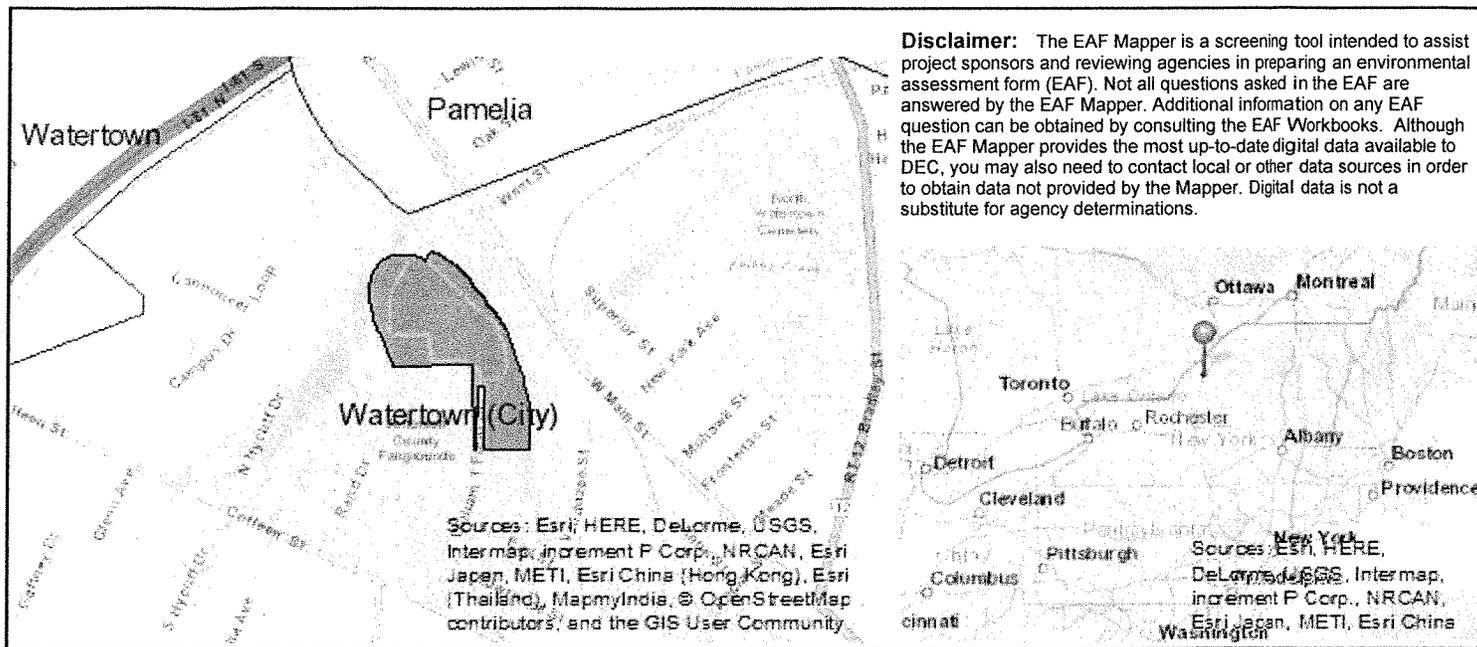
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

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

Applicant/Sponsor Name Jeffrey M. Polkowski Date 5/13/2016

Signature  Title Planner



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	Yes
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.iv [Surface Water Features - Stream Name]	805-10
E.2.h.iv [Surface Water Features - Stream Classification]	C
E.2.h.iv [Surface Water Features - Wetlands Name]	Federal Waters
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.j. [100 Year Floodplain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.

E.2.k. [Soil Use/occupancy]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.2.l. [Aquifers]	Yes
E.2.i. [Aquifer Names]	Principal Aquifer
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	Yes
E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National Register of Historic Places]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No

**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

	Agency Use Only [If applicable]
Project :	
Date :	

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

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

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b>			
Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

NO

YES

*If "Yes", answer questions a - c. If "No", move on to Section 3.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____ _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

NO

YES

*If "Yes", answer questions a - l. If "No", move on to Section 4.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If "Yes", answer questions a - h. If "No", move on to Section 5.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. E.2) <i>If "Yes", answer questions a - g. If "No", move on to Section 6.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g  D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>  <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b>			
The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.)		<input type="checkbox"/> NO	<input type="checkbox"/> YES
<i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Moderate to large impact may occur", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b>			
The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If "Yes", answer questions a - e. If "No", go to Section 12.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b, E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c, E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b>			
The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If "Yes", answer questions a - c. If "No", go to Section 13.</i>		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.  
(See Part 1. D.2.j)

NO  YES

*If "Yes", answer questions a - f. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.  
(See Part 1. D.2.k)

NO  YES

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The 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 commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.  
(See Part 1. D.2.m., n., and o.)

NO  YES

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>16. Impact on Human Health</b>			
The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)			
<input type="checkbox"/> NO <input type="checkbox"/> YES			
<i>If "Yes", answer questions a - m. If "No", go to Section 17.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**PRINT FULL FORM**

Project : Date : 

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status:       Type 1                       Unlisted

Identify portions of EAF completed for this Project:    Part 1               Part 2               Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**



**Environmental  
Facilities Corporation**

ANDREW M. CUOMO  
Governor

SABRINA M. TY  
President and CEO

May 19, 2016

**VIA FIRST CLASS MAIL**

Michael A. Lumbis  
Planning & Community Development Department  
Suite 304, City Hall  
245 Washington Street  
Watertown, New York 13601



Re: New York State Drinking Water State Revolving Fund (“DWSRF”)  
Wastewater Treatment Plant Sludge Disposal Modification Project  
City of Watertown – SEQR Review  
**SEQR Review for the City of Watertown**

Dear Mr. Lumbis:

On behalf of the New York State Environmental Facilities Corporation (“EFC”), this is to acknowledge receipt of the City of Watertown’s lead agency request that it be designated lead agency for purposes of the SEQR review for the Wastewater Treatment Plant Sludge Disposal Modification Project, located in the City of Watertown. Please be advised that EFC has no objection to the City of Watertown’s being designated as lead agency for this review.

Should you have any questions regarding this matter, please contact me. Thank you.

Sincerely,

Michael P. Hale, Esq.  
Deputy Counsel

## Lumbis, Michael

---

**From:** Keane, Pete R (NYSERDA) [Pete.Keane@nyserda.ny.gov]  
**Sent:** Tuesday, May 31, 2016 3:20 PM  
**To:** O'Connor, Kathleen M (NYSERDA)  
**Cc:** Polkowski, Jeffrey; Sligar, Michael; Lumbis, Michael  
**Subject:** RE: SEQR Question ASAP - City of Watertown Wastewater Treatment Plant Sludge Disposal Modification Project

NYSERDA has no objection to the City serving as lead. I'm not sure that NYSERDA is even an involved agency for an application to NYSEFC. That is, it doesn't appear there's any new "action" item for NYSERDA that would trigger SEQR review on our part.

Peter Keane  
Deputy General Counsel  
NYSERDA  
518.862.1090, ext. 3366

**From:** O'Connor, Kathleen M (NYSERDA)  
**Sent:** Tuesday, May 31, 2016 2:20 PM  
**To:** Keane, Pete R (NYSERDA) <Pete.Keane@nyserda.ny.gov>  
**Cc:** 'Polkowski, Jeffrey' <JPolkowski@watertown-ny.gov>; 'Sligar, Michael' <MSligar@watertown-ny.gov>; 'Lumbis, Michael' <MLumbis@watertown-ny.gov>  
**Subject:** SEQR Question ASAP - City of Watertown Wastewater Treatment Plant Sludge Disposal Modification Project

Peter,

You are currently in a meeting so I'm wondering if you might have a chance to answer this via I Phone?

I am hoping you can give me guidance on a question asked by Michael Lumbis (City of Watertown Planning Department). The City received a Regional Economic Development Grant through NYSERDA in 2012 for a project at their wastewater treatment plant. Our original determination was that the project was an unlisted action. Our funds were primarily related to design, planning and permitting work. The City is slowly making headway on the project; but access to adequate funding has been a major issue in getting the project completed. They are now looking to the NYSEFC for funding. As such they would like to be lead agency on the SEQR for the application to the NYSEFC (also an unlisted action). In similar projects we've co-funded in the past we have been ok with the municipality taking this lead, but I want to confirm that this is still the case. This is contract #30728.

Sincerely, Kathleen

---

**Kathleen O'Connor, P.E.**  
Senior Project Manager

**NYSERDA**  
17 Columbia Circle | Albany, NY 12203-6399  
P: 518-862-1090 x3422 | F: 518-862-1091 | E: [Kathleen.OConnor@nyserda.ny.gov](mailto:Kathleen.OConnor@nyserda.ny.gov)

[nyserda.ny.gov](http://nyserda.ny.gov)  
follow : friend : connect with NYSERDA

application to the NYSEFC (an unlisted action). In similar projects we've co-funded in the past we have been ok with the municipality taking this lead, but I want to confirm that this is still the case. This is contract #30728.

Thanks in advance for your help,  
Kathleen

---

**From:** Lumbis, Michael <MLumbis@watertown-ny.gov>  
**Sent:** Friday, May 13, 2016 2:49 PM  
**To:** O'Connor, Kathleen M (NYSERDA)  
**Cc:** Polkowski, Jeffrey; Sligar, Michael  
**Subject:** City of Watertown Wastewater Treatment Plant Sludge Disposal Modification Project SEQR

*ATTENTION: This email came from an external source. Do not open attachments or click on links from unknown senders or unexpected emails.*

Ms. O'Connor-

Attached for your review is a letter and Part 1 of a Full Environmental Assessment Form regarding the City of Watertown's proposed Wastewater Treatment Plant Sludge Disposal Modification Project. The City is applying for funding for the project through EFC and is completing the SEQR review as part of the application. As you will see in the letter, the City feels that it is the most appropriate choice to be the Lead Agency for the project.

If you have any objections to the City of Watertown being established as the lead agency, have recommendations on another lead agency, or have any comments concerning the enclosed EAF, please forward them to me as soon as possible. Although involved agencies have 30 days from the date of the letter to respond regarding the establishment of the lead agency, I would kindly ask that you expedite your response and reply by May 25, 2016.

As noted above, we are applying to EFC for grant funding for the project and we would like to be able to complete the SEQR review in early June so that we can meet the grant application deadline. Any assistance in expediting this portion of the project would be greatly appreciated. The original letter will be sent via mail. Thank you very much for your time.

Best Regards,

Mike Lumbis

Michael A. Lumbis, Planning & Community Development Director  
City of Watertown Office of Planning & Community Development  
245 Washington Street, Room 304

Watertown, New York 13601

Phone: 315-785-7740

Direct: 315-785-7734

Fax: 315-785-7829

[mlumbis@watertown-ny.gov](mailto:mlumbis@watertown-ny.gov)

[www.watertown-ny.gov](http://www.watertown-ny.gov)

---

This email was scanned by Bitdefender

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 6  
Dulles State Office Building, 317 Washington Street, Watertown, NY 13601-3787  
P: (315) 785-2245 | F: (315) 785-2242  
[www.dec.ny.gov](http://www.dec.ny.gov)

June 1, 2016

Michael Lumbis  
Planning and Community Development Director  
City of Watertown  
City Hall - Suite 304  
245 Washington Street  
Watertown, NY 13601

RE: SEQR Lead Agency Request  
Wastewater Treatment Plant Sludge Disposal Modification Project  
Watertown (C), Jefferson County

Dear Mr. Lumbis:

We received your SEQR coordination letter dated May 13, 2016 for the proposed project to modify the sludge disposal process at the City's Wastewater Treatment Plant located at 700 William T. Field Drive. The Department has no objection to the City of Watertown serving as Lead Agency for this action.

The proposed project will likely affect the facility's existing Air Facility Registration (AFR) and State Pollutant Discharge Elimination System (SPDES) permit. City personnel should continue to work with their department contacts for potential modifications or approvals: David Rarick, for the SPDES approvals; and Robert Jacobs, for the AFR.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Thomas Voss  
Deputy Regional Permit Administrator  
[thomas.voss@dec.ny.gov](mailto:thomas.voss@dec.ny.gov)

Ec: Michael Sligar, Water Superintendent, City of Watertown  
Carrie Smith, DOW – BWP  
David Rarick, DOW – R6  
Robert Jacobs, DAR – R6



Department of  
Environmental  
Conservation



## Department of Health

**ANDREW M. CUOMO**  
Governor

**HOWARD A. ZUCKER, M.D., J.D.**  
Commissioner

**SALLY DRESLIN, M.S., R.N.**  
Executive Deputy Commissioner

June 2, 2016

Michael Lumbis  
Planning and Community Development Director  
City Hall, Suite 304  
245 Washington Street  
Watertown, NY 13601

RE: SEQR Lead Agent Reply – City of Watertown Wastewater Treatment Plant Modifications

Dear Mr. Lumbis:

The following is in response to your May 13<sup>th</sup>, 2016 correspondence.

The Department of Health has no objection to the City of Watertown's request for SEQR Lead Agent status.

Please contact the writer if you have any questions.

Sincerely,

Claude A. Curley, P.E.  
District Engineer

ecc: Sheri Palmer, District Director

Res No. 8

June 1, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Finding That Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment

At its May 3, 2016 meeting, the City Planning Board unanimously adopted a motion recommending that the City Council change the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business District. The Council has scheduled a public hearing on the request for Monday, June 6, 2016 at 7:30 p.m.

The City Council must complete Part 2, and Part 3 if necessary, of the Short Environmental Assessment Form and adopt the attached resolution before it may vote on the Zone Change Ordinance. The resolution states that the proposed zone change will not have a significant impact on the environment.

# RESOLUTION

Page 1 of 2

Finding That Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment

Council Member HORBACZ, Cody J.  
Council Member JENNINGS, Stephen A.  
Council Member MACALUSO, Teresa R.  
Council Member WALCZYK, Mark C.  
Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

### *Introduced by*

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance for the zone change application of Edward G. Olley, Jr., on behalf of James Petersen of Fast Lube of Watertown, to change the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000 from Residence B to Neighborhood Business, and

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

WHEREAS the approval of the zone change would constitute such an "Action," and

WHEREAS the City Council has determined that changing the zoning classification of this property is an Unlisted Action as that term is defined by 6NYCRR Section 617.2, and

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

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant impact 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,

# RESOLUTION

Page 2 of 2

Finding That Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business Will Not Have a Significant Impact on the Environment

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

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 comparing 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 will not have a significant impact on the environment.
2. 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.
3. This Resolution shall take effect immediately.

**Seconded by**

# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing

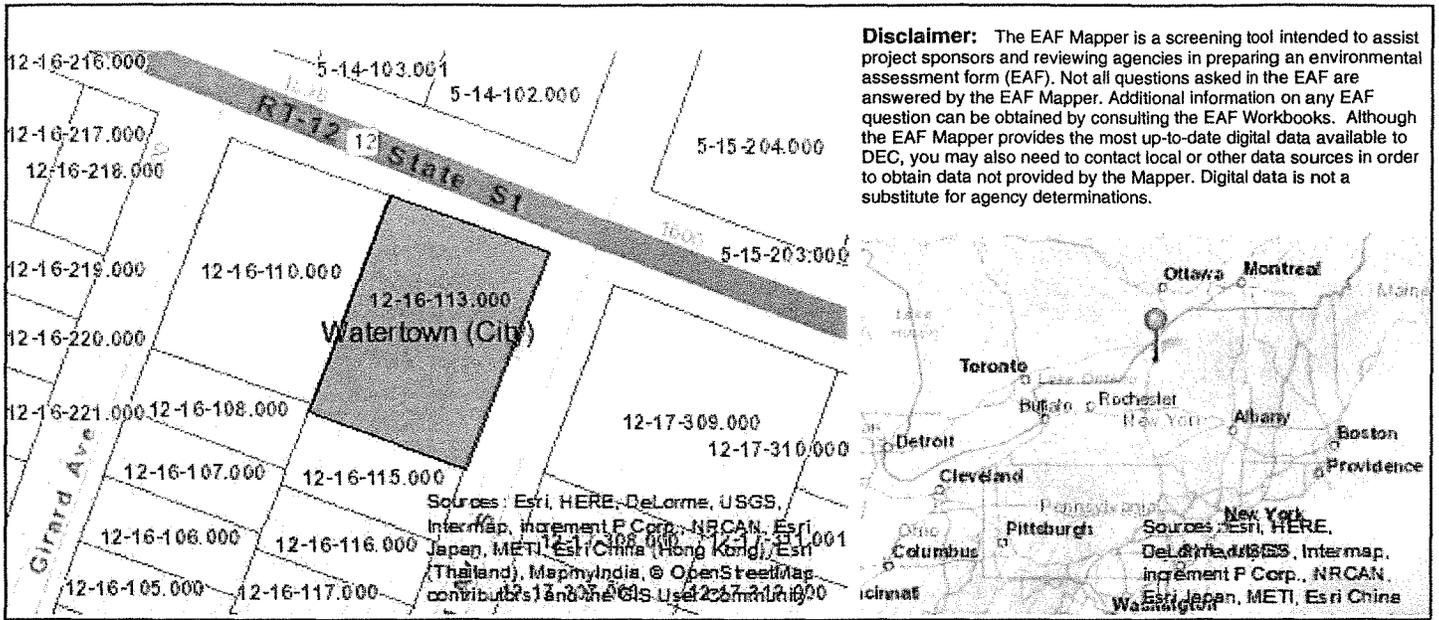
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Fast Lube of Watertown			
Name of Action or Project: Zone Change			
Project Location (describe, and attach a location map): 1552 State Street, Watertown, NY 13601			
Brief Description of Proposed Action: To request a zone change of the back 52' of property for 1552 State Street (Tax Parcel#: 12-16-113.000) from Residential B to Neighborhood Business. Currently, the front 100' of the property is zoned Neighborhood Business. This parcel then would all be Neighborhood Business. In the future the owner would like to park on the property. He wishes to remove an existing landscape buffer located in the middle of the property and install a new buffer 15' wide at the side of the property adjacent to the residence at 114 South Pearl Ave. This landscape buffer is consistent with site plan landscape and buffer zone guidelines. The owner will also install a 6' high wooden fence at the side of the property.			
Name of Applicant or Sponsor: GYMO Architecture, Engineering & Land Surveying		Telephone: 315-788-3900	
		E-Mail: ed@gymopc.com	
Address: 1220 Sterling Street			
City/PO: Watertown		State: NY	Zip Code: 13601
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/> YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		.38 +/- acres	
b. Total acreage to be physically disturbed?		.067 +/- acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.38 +/- acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input checked="" type="checkbox"/> Other (specify): <u>Neighborhood Business</u>			
<input type="checkbox"/> Parkland			



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?          If Yes, explain purpose and size: _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?          If Yes, describe: _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?          If Yes, describe: _____          _____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p><b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>GYMNO ARCHITECTS P.C. JEROME</u>, Date: <u>5/2/16</u>.</p> <p>Signature: <u>[Signature]</u>, <u>JK. EPSTEIN JR. QUA</u>.</p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 16 [100 Year Flood Plain]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
Part 1 / Question 20 [Remediation Site]	No

Project:

Date:

**Short Environmental Assessment Form**  
**Part 2 - Impact Assessment**

**Part 2 is to be completed by the Lead Agency.**

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form  
Part 3 Determination of Significance**

For every question in Part 2 that was answered “moderate to large impact may occur”, or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- 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.

\_\_\_\_\_  
Name of Lead Agency

\_\_\_\_\_  
Date

\_\_\_\_\_  
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)

Public Hearing – 7:30 p.m.

June 1, 2016

To: The Honorable Mayor and City Council  
From: James E. Mills, City Comptroller  
Subject: Authorizing Spending of Funds from the Capital Reserve Fund

The City transferred \$3,100,000 into a Capital Reserve Fund in FY 2012-13 due to the acceptance of the City to a proposal from the State to change the timing of the State AIM payments. Included in the Fiscal Year 2016-17 Capital Budget and General Fund Budget was the following equipment purchases that was to be funded from the Capital Reserve Fund.

DPW Road Maintenance Tandem Axle Dump Truck	\$ 150,000
Side Load Refuse Packer Truck	220,000
DPW Storm Sewer Single Axle Dump Truck	<u>135,000</u>
Total	<u>\$ 505,000</u>

The estimated ending FY 2016-17 balance of the Capital Reserve Fund will be \$829,809 which has been included as a future funding source in the City's multi-year financial and capital plans contained in the FY 2016-17 adopted budget.

Prior to any funds being spent from the Capital Reserve Fund on these projects a public hearing must be held. Accordingly, a Public Hearing has been set for June 6, 2016 at 7:30 p.m. to discuss the appropriation of these capital reserve funds.

RESOLUTION

Page 1 of 1

Authorizing Spending  
From Capital Reserve Fund

Council Member HORBACZ, Cody J.  
Council Member JENNINGS, Stephen A.  
Council Member MACALUSO, Teresa R.  
Council Member WALCZYK, Mark C.  
Mayor BUTLER, Jr., Joseph M.

YEA	NAY

Total .....

*Introduced by*

Council Member Stephen A. Jennings

WHEREAS on June 19, 2006, the City Council approved establishing a Capital Reserve Fund pursuant to Section 6-c of the General Municipal Law to finance future capital improvements, and

WHEREAS the Adopted 2016-17 Capital Fund Budget and General Fund Budget included the following projects and equipment purchases: DPW Road Maintenance Tandem Axle Dump Truck (\$150,000), Side Load Refuse Packer Truck (\$220,000) and DPW Storm Sewer Single Axle Dump Truck (\$135,000), and

WHEREAS the City Council desired to fund these projects and equipment purchases from the Capital Reserve Fund, and

WHEREAS on Monday, June 6, 2016 at 7:30 p.m., the City Council of the City of Watertown held a public hearing to discuss the expenditure of funds from this capital reserve fund, and

WHEREAS it has been determined that the expenditure of these funds is in keeping with the purpose for the capital reserve fund,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the appropriating of Capital Reserve funds in an amount not to exceed \$505,000 to pay for the cost of the DPW Road Maintenance Tandem Axle Dump Truck (\$150,000), Side Load Refuse Packer Truck (\$220,000) and DPW Storm Sewer Single Axle Dump Truck (\$135,000).

**Seconded by** Council Member Teresa R. Macaluso

Public Hearing – 7:30 p.m.

June 1, 2016

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Public Hearing Authorizing Spending of Funds from  
the Repair Reserve Fund for Duffy Fairgrounds Stadium

In 1996 the City of Watertown received a \$500,000 grant from the Empire State Development Corporation for renovations to the baseball stadium at the Alex T. Duffy Fairgrounds. A condition for accepting the funds required the City establish a reserve fund and contribute \$15,100 to the fund for five years starting in fiscal year 1996-1997 through fiscal year 2000-2001. The fund currently has a balance of \$20,096.

Included in the Fiscal Year 2016-17 Capital Budget was a project to repair the masonry wall of the baseball dugout to keep the structure safe. The project is estimated to cost \$30,000 and is being funded with the balance of the Fairgrounds Repair Reserve Fund of approximately \$20,000 and a transfer from the General Fund for \$10,000.

Prior to spending funds from an established reserve fund, the City Council must hold a Public Hearing to receive public input on the appropriating of funds. Once the public hearing has been held, the attached resolution authorizing the expenditure of funds can be considered by the City Council.

A Public Hearing has been set for June 6, 2016 at 7:30 p.m. to discuss the appropriation of these funds.

**RESOLUTION**

Page 1 of 1

Authorizing Spending From the  
Duffy Fairgrounds Stadium  
Reserve Fund

Council Member HORBACZ, Cody J.  
 Council Member JENNINGS, Stephen A.  
 Council Member MACALUSO, Teresa R.  
 Council Member WALCZYK, Mark C.  
 Mayor BUTLER, Jr., Joseph M.  
 Total .....

YEA	NAY

***Introduced by***

Council Member Stephen A. Jennings

WHEREAS on June 2, 1997, the City Council approved establishing a Repair Reserve Fund for the costs associated with renovations and capital repairs to the existing stadium at the Alex T. Duffy Fairgrounds, and

WHEREAS the City has determined that the dugout at the Alex T. Duffy Fairgrounds need to be repaired, and

WHEREAS the estimated cost of the repairs to be \$30,000, and

WHEREAS on Monday, June 6, 2016, at 7:30 p.m., the City Council of the City of Watertown held a public hearing to discuss the expenditure of funds from this reserve fund, and

WHEREAS it has been determined that the expenditure of these funds is in keeping with the purpose for the reserve fund,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby authorizes the appropriation of the balance of the reserve fund, approximately \$20,000, to pay for the dugout repairs at the City's stadium at the Alex T. Duffy Fairgrounds.

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

**Seconded by** Council Member Teresa R. Macaluso

7:30 p.m. – Public Hearing

June 1, 2016

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planning and Community Development Director

Subject: Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business

City Council has scheduled a Public Hearing for the above subject request at 7:30 pm on Monday, June 6, 2016.

The Planning Board reviewed the request at its May 3, 2016 meeting and unanimously adopted a motion recommending that City Council approve the request.

Attached is the report on the zone change request prepared for the Planning Board, along with an excerpt from its meeting minutes.

The ordinance prepared for City Council consideration approves the zone change as submitted. The Council must hold the public hearing and pass the SEQRA resolution that is also on today's agenda before voting on the ordinance.

ORDINANCE

Page 1 of 1

Changing the Approved Zoning Classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business

Council Member HORBACZ, Cody J.

Council Member JENNINGS, Stephen A.

Council Member MACALUSO, Teresa R.

Council Member WALCZYK, Mark C.

Mayor BUTLER, Jr., Joseph M.

Total .....

YEA	NAY

*Introduced by*

Council Member Stephen A. Jennings

BE IT ORDAINED where Edward G. Olley Jr., AIA of GYMO, DPC, on behalf of James Petersen of Fast Lube of Watertown, has made an 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 south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its May 3, 2016 meeting and unanimously adopted a motion recommending that City Council approve the zone change, and

WHEREAS a public hearing was held on the proposed zone change on June 6, 2016, 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, and

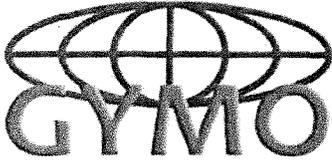
WHEREAS the City Council deems it in the best interest of the citizens of the City of Watertown to approve the requested zone change,

NOW THEREFORE BE IT ORDAINED that the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, shall be changed from Residence B to Neighborhood Business District, 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 otherwise printed as the City Manager directs.

**Seconded by** Council Member Teresa R. Macaluso



ARCHITECTURE  
ENGINEERING  
ENVIRONMENTAL  
LAND SURVEYING

April 19, 2016

Honorable Mayor and City Council  
City of Watertown  
**ATTN: ENGINEERING DEPT.**  
245 Washington St, Room 305  
Watertown, NY 13601

Re: Fast Lube of Watertown  
**Zone Change Application**  
File: 89-191a

Dear Honorable Mayor and City Council:

On behalf of James Petersen, I write to request a zone change of the back 52' of property for 1552 State Street (Tax Parcel#: 12-16-113.000) from Residential B to Neighborhood Business. Currently, the front 100' of the property is zoned Neighborhood Business. This parcel then would all be Neighborhood Business.

In the future the owner would like to park on the property. He wishes to remove an existing landscape buffer located in the middle of the property and install a new buffer 15' wide at the side of the property adjacent to the residence at 114 South Pearl Ave. This landscape buffer is consistent with site plan landscape and buffer zone guidelines. The owner will also install a 6' high wooden fence at the side of the property.

Included in this submission are an application fee of \$100.00 and 15 complete sets of this application including this cover letter, Copy of the Deed, Tax Map, Short Environmental Assessment Form Part I, and Proposed Land Use Plan.

If you have any questions, or require any additional information, please let me know.

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

Edward G. Olley Jr., AIA  
*Principal, Director of Architecture*

Edward G. Olley, Jr., AIA  
William P. Plante, PLS  
Patrick J. Scordo, PE  
Ryan G. Churchill, PE  
Scott W. Soules, AIA

Gregory F. Ashley, PLS  
Hayward B. Arthur III, MPS  
Brandy W. Lucas, MBA  
Howard P. Lyndaker III, PLS

In Consultation  
Leo F. Gozalkowski, PLS  
Stephen W. Yaussi, AIA

220 Sterling Street  
Watertown, New York 13601  
Tel: (315) 788-3900 Fax: (315) 788-0668  
E-mail: gymopc@gymopc.com



JoAnn M. Wilder, Clerk  
175 Arsenal Street  
Watertown, NY 13601  
(315) 785-3081

### Jefferson County Clerk Recording Cover Sheet

**Received From :**  
CAPONE LAW FIRM  
OFFICE MAILBOX  
420 WOOLWORTH BLDG  
WATERTOWN, NY 13601

**Return To :**  
CAPONE LAW FIRM  
OFFICE MAILBOX  
420 WOOLWORTH BLDG  
WATERTOWN, NY 13601

**First GRANTOR**  
LIVINGSTON, ROY A

**First GRANTEE**  
PETERSEN, JAMES

**File Number : 2007-00012927**

**Index Type :** Land Records

**Type of Transaction :** Deed - (Other Property)

**Recording Fee :** \$215.00

**Recording Pages :** 5

The Property affected by this instrument is situated in Watertown-City Of, in the County of Jefferson, New York

**Real Estate Transfer Tax**

**RETT # :** 4694

**Deed Amount :** \$75,000.00

**RETT Amount :** \$300.00

**Total Fees :** \$515.00

State of New York

County of Jefferson

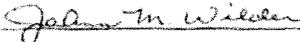
I hereby certify that the within and foregoing was recorded in the Clerk's office for Jefferson County, New York

On (Recorded Date) : 07/26/2007

At (Recorded Time) : 1:32:26 PM



Doc ID - 003241120005

  
JoAnn M. Wilder, Clerk



Record & Return Home New York

Form 1583S N.Y. DEED-WARRANTY with Lien Covenant

THIS INDENTURE, Made this 24<sup>th</sup> day of July, Two Thousand Seven (2007)

Between ROY A. LIVINGSTON residing at 1020 Gardner Drive, Watertown, New York 13601, party of the first part,

and

JAMES PETERSEN, residing at 1272 Gotham Street, Watertown, New York, 13601, party of the second part,

Witnesseth that the party of the first part, in consideration of One Dollar and Zero Cents, (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, his heirs, successors and assigns forever,

See Schedule "A" hereto annexed and incorporated into this Deed for reference consisting of two (2) pages.

Together with the appurtenances and all the estate and rights of the party of the first part in and to said premises,

To have and to hold the premises herein granted unto the party of the second part, his heirs, successors and assigns forever.

And said party of the first part covenants as follows:

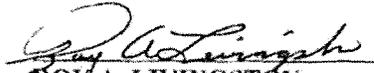
First, That the party of the second part shall quietly enjoy the said premises;

Second, That said party of the first part will forever Warrant the title to said premises.

Third, That, in Compliance with Sec. 13 of the Lien Law, the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

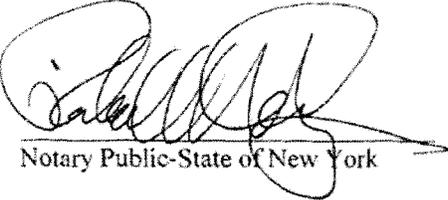
IN WITNESS WHEREOF, the party of the first part has hereunto set her hands the day and year first above written.

IN PRESENCE OF

  
ROY A. LIVINGSTON

STATE OF NEW YORK        )  
  ) ss:  
COUNTY OF JEFFERSON    )

On the 24<sup>th</sup> day of July, in the year 2007, before me the undersigned, a Notary Public in and for the State, personally appeared, **ROY A. LIVINGSTON**, 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 individuals, or the persons upon behalf of which the individuals acted, executed the instrument.

  
Notary Public-State of New York

Richard M. Capone  
Notary Public, State of New York  
No. 02CA0558350  
Qualified in Jefferson County  
Commission Expires Oct. 31, 2009

SCHEDULE "A"

All that CERTAIN LOT, PIECE OR PARCEL OF LAND, situate, lying and being in the City of Watertown, County of Jefferson and State of New York, bounded and described as follows, to wit:

Being lots number one (1) and two (2) of the John A. Reese Addition to the City of Watertown, as shown on a map of said addition filed in the Jefferson County Clerk's Office February 20, 1901, in Book of Maps No. 2, page 29, to which map reference is hereby made for a more particular description. Said lot being a portion of the land conveyed to said John A. Reese by Orilla Weaver by deed dated September 25, 1984, and recorded in Jefferson County Clerk's Office September 26, 1984 in Liber 276 at page 340.

SAID LOT No. 1 is known as 1548 State Street and Tax Parcel No. 12-16-112. Said Lot No. 2 is known as 1552 State Street and Tax Parcel No. 12-16-113. Said Lot No. 1 was conveyed to the grantor by deed from Michael J. Flanigan and wife by deed dated April 25, 1946, and recorded in Liber 457 of Deeds at Page 360. Said Lot No. 2 was conveyed to the grantor by deed from Ambrose Gormley and Co., Inc. dated August 9, 1957 and recorded in Liber 652 of Deeds at Page 191.

BEING AND INTENDING TO DESCRIBE the premises conveyed by warranty deed from Arthur C. Moore to Gale T. Keyes and Helen C. Keyes, his wife, dated June 30, 1986 and recorded in the Jefferson County Clerk's Office on July 3, 1986 in Book No. 1028 of Deeds at Page 92.

ALSO ALL THAT TRACT OR PARCEL OF LAND situate in the City of Watertown, County of Jefferson and State of New York, known and designated as Lot No. 3 of the John A. Reese Addition to the City of Watertown, as shown on a map of said addition filed in Jefferson County Clerk's Office February 20, 1901, in Book of Maps No. 2, at page 29, to which map referenced is hereby made for a more particular description.

BEING the premises known as 110 South Pearl Avenue, Watertown, New York.

BEING AND INTENDING to describe the same premises as were conveyed by Ralph E. Smith by warranty deed dated August 19, 1986 to Gale T. Keyes and Helen Keyes and recorded in the Jefferson County Clerk's Office on August 21, 1986 in Book No. 1035 of Deeds at Page 189.

Being more accurately described by recent survey performed by GYMO May 22, 1997, as follows:

ALL that tract or parcel of land situate in the City of Watertown, County of Jefferson, State of New York and further described as follows:

BEGINNING at the intersection of the southerly street margin of State Street and the westerly street margin of South Pearl Avenue;

THENCE S.28°-11'W. along the westerly street margin of South Pearl Avenue a distance of 152.00 feet to an iron pin found;

THENCE N.61°-49'W. a distance of 108.00 feet to an iron pipe set;

THENCE N.28°-11'E. a distance of 152.00 feet to an iron pipe found in the southerly street margin of State Street;

THENCE S.61°-49'E. along the southerly street margin of State Street a distance of 108.00 feet to the point of beginning.

CONTAINING 0.377 acres of land more or less.

BEING THE SAME PREMISES conveyed by Roy A. Livingston to James Petersen and Roy A. Livingston by Warranty Deed dated July 7, 1995, and recorded in the Jefferson County Clerk's Office in Book 1463 of Deeds at Page 071.

Also known as 1552 State Street and Keys Avenue, Tax Map Number 12-0016-113.000.

SCHEDULE "A" (Page 2)

ALSO,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,

lying and being in the City of Watertown, County of Jefferson, State of New York, bounded and described as follows: Beginning at a cross cut in a cement walk in the westerly line of Le Ray Street, said cross being 3.52 ft. distant on a N.47° 50' E. course from the intersection of said westerly line of Le Ray Street with the northerly line of Main Street West as now established, and running thence from said cross and place of beginning on a N.30°41'W. course 136.58 ft. to an iron pipe; thence at an interior angle of 90°18' with said last mentioned course on a N. 59°01'E. course 94.50 ft. to an iron pipe; thence at an interior angle of 99°01' with said last mentioned course on a S.40°00' E. course 115.60 ft. to an iron pipe situate in the westerly line of Le Ray Street; thence at an interior angle of 92°10'; with said last mentioned course on a S.47°50'W. course 115.5 ft. along the westerly line of Le Ray Street to said cross cut in said cement walk and place of beginning.

Also all that tract or parcel of land situate in the City of Watertown, County of Jefferson and State of New York, bounded and described as follows: Beginning at a cross cut in a cement walk in the westerly line of Le Ray Street, said cross being 3.52 ft. distant on a N. 47°50'E. course from the intersection of said westerly line of Le Ray Street with the northerly line of Main Street West as now established, and running thence from said cross and place of beginning on a N. 30°41'W. course 136.58 ft. to an iron pipe; thence at an interior angle of 89°42' with said last mentioned course on a S. 59°01'W. course 4.65 feet to the northerly line of Main Street West as now established; thence at an interior angle of 89°48' with said last mentioned course on a S.31°11'E. course 137.28 ft. along the northerly line of Main Street West as now established to the westerly line of Le Ray Street; thence at an interior angle of 79°01' to said last mentioned course on a N.47°50'E. course 3.52 ft. along the westerly line of Le Ray Street to the said cross cut in said cement walk and place of beginning.

TOGETHER WITH all the right, title and interest of the party of the first part in and to all lands lying between the southerly line of the parcel herein last described and the center line of Main Street West and between the easterly and westerly lines of said last described parcel prolonged to the center line of Main Street West, also all the right, title and interest of the party of the first part in and to so much of Le Ray Street as lies between the easterly lines of the premises described in this deed and the center line of said Le Ray Street and between the northerly line prolonged to the center of Le Ray Street of the parcel first described and the center line of Main Street West prolonged to the center line of Le Ray Street.

The premises conveyed herein are the same premises set forth on a certain survey map dated May 22, 1923 and made by Cronin & Hopstein, Civil Engineers, and filed in the Jefferson County Clerk's Office on the 26th day of June 1923.

EXCEPTING premises appropriated by the State of New York by Notice of Appropriation dated April 16, 1992, and recorded on that date in the Jefferson County Clerk's Office at Liber 1298 of Deeds at page 7.

SUBJECT to an easement granted to Niagara Mohawk Power Corporation and New York Telephone Co., dated October 18, 1992, and recorded in the Jefferson County Clerk's Office on January 5, 1993, in Liber 1329 of Deeds at page 314.

BEING THE SAME PREMISES conveyed by Frederick J. Lava to Roy A. Livingston by Warranty Deed dated July 6, 1995, and recorded in the Jefferson County Clerk's Office on July 12, 1995, in Liber 1463 of Deeds at Page 66.

Also known as 500 West Main Street, Tax Map # 1-0001-122.000.  
BOTH PARCELS BEING SUBJECT TO AN INDEBTEDNESS SECURED BY A MORTGAGE UPON SAID PREMISES HELD BY COMMUNITY BANK, N.A.







# MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE  
245 WASHINGTON STREET, ROOM 304, WATERTOWN, NY 13601  
PHONE: 315-785-7730 – FAX: 315-782-9014

TO: Planning Board Members  
FROM: Michael A. Lumbis, Planning and Community Development Director  
SUBJECT: Zone Change – 1552 State Street  
DATE: April 28, 2016

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**Request:** To change the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000, from Residence B to Neighborhood Business.

**Applicant:** Edward G. Olley, AIA, of GYMO, DPC on behalf of James Petersen of Fast Lube of Watertown

**Owner:** James Petersen

**SEQRA:** Unlisted

**County review:** Not required

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**Comments:** The applicant is requesting a zone change for the subject parcel to allow him to use the rear portion of the parcel for parking. The parcel, which is at the corner of State Street and Pearl Avenue South, is currently split-zoned. The northern two-thirds of the parcel, fronting on State Street is already zoned Neighborhood Business. The southern third of the parcel is currently zoned Residence B, as are all of the other parcels on Pearl Avenue South.

The applicant wishes to change the zoning of the south section of the parcel so that the entire parcel would be zoned Neighborhood Business. The applicant would like to make this change so that Fast Lube of Watertown could utilize the southern third of the parcel for customer parking, which is not an allowed use in a Residence B District.

Much of the southern third of the parcel currently consists of crushed stone. An existing landscape buffer divides the Residence B section of the parcel from the Commercial section.

If the City Council approves the zone change request, the applicant proposes to remove the existing crushed stone, pave approximately 3,515 square feet of asphalt, and stripe 10 parking spaces. The applicant also proposes to remove the landscape buffer and install a new 15-foot wide buffer and a six-foot high wood stockade fence at the southern edge of the parcel. The proposed parking lot and related construction would require Site Plan Approval.

The applicant has indicated his intent to apply for Site Plan Approval at a future Planning Board meeting, pending approval of the zone change request.

**SEQR:** The applicant indicates in his response to Question 8b of Part 1 of the SEQR Short Environmental Assessment Form (EAF) that there is no public transportation service on or near the site of the proposed action. This is inaccurate, as the A-1 bus passes directly in front of the site on State Street. The applicant should change the answer to Question 8b to “yes” to reflect the presence of this bus route.

The applicant indicates in his response to Question 8c that there are no pedestrian accommodations on or near the site of the proposed action. This is inaccurate, as there are sidewalks on both sides of State Street and Pearl Avenue South. The applicant should change the answer to Question 8c to “yes” to reflect the presence of these facilities.

The applicant indicates in his response to Question 12b that the proposed action is located in an archeological sensitive area. The applicant should provide a letter from the New York State Historic Preservation Office (SHPO) that determines whether the proposed project has the potential to affect any archeological resources.

The applicant indicates in his response to Question 15 that the site may contain endangered or threatened species or their associated habitats. This issue should also be investigated further and additional information should be provided to address this issue. The applicant shall contact the New York State Department of Environmental Conservation (DEC), and provide copies of all correspondence between the applicant and DEC and a letter indicating DEC’s opinion on the matter.

**Land Use Plan:** The City’s adopted Land Use Plan designates the use of the entire parcel as Neighborhood Business. Therefore, the proposed zone change for the rear portion of the parcel would be consistent with the Land Use Plan.

cc: City Council Members  
Brian Drake, Civil Engineer II  
Edward G. Olley, Jr., AIA, GYMO, DPC, 220 Sterling Street, Watertown, NY 13601  
James Petersen, Fast Lube of Watertown, 1552 State Street, Watertown, NY 13601

**ZONE CHANGE**  
**SOUTH SECTION of 1552 STATE STREET – PARCEL # 12-16-113.000**  
**RESIDENCE B to NEIGHBORHOOD BUSINESS**

The Planning Board then considered a zone change request submitted by Edward G. Olley Jr., AIA of GYMO, DPC, on behalf of James Petersen of Fast Lube of Watertown, to change the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000 from Residence B to Neighborhood Business.

Mr. Olley and Mr. Petersen were in attendance to represent this request.

Mr. Olley began by saying that the purpose of the request was to create the opportunity to apply at a future Planning Board meeting for site plan approval for a proposed parking lot expansion on the property. Mr. Olley said that he tried to depict on a preliminary site plan how the proposed expansion would look. He then asked if the Planning Board had any questions for him regarding Staff's comments.

Mr. Coburn asked why this application was in front of the Planning Board and not the Zoning Board of Appeals. Mr. Urda replied that the applicant was seeking a zone change, not a variance, and that zone change applications must go before the City Council with a recommendation from the Planning Board.

Ms. Capone asked if the request was consistent with the adopted Land Use Plan. Mr. Lumbis replied in the affirmative.

Mr. Neddo then moved to recommend that City Council approve the zone change request submitted by Edward G. Olley Jr., AIA of GYMO, DPC, on behalf of James Petersen of Fast Lube of Watertown, to change the approved zoning classification of the south section of 1552 State Street, Parcel Number 12-16-113.000 from Residence B to Neighborhood Business.

Ms. Fields seconded the motion and all voted in favor.



CITY OF WATERTOWN, NEW YORK  
PARKS & RECREATION DEPARTMENT

Watertown Municipal Arena  
600 William T. Field Drive  
Watertown, New York 13601  
parksrec@watertown-ny.gov  
Phone (315) 785-7775 • Fax (315) 785-7776



ERIN E. GARDNER  
Superintendent

May 26, 2016

To: Sharon Addison, City Manager

From: Erin E. Gardner, Superintendent of Parks and Recreation

Subject: Request for waiver of fees for New Life Church Father's Day Service

A request to waive \$2390.00 in fees was received by the City on 5/25/16. Pastor Kirk Gilchrist has asked for a waiver for the following: Fairgrounds Pavilion at \$50.00, field charges at \$90.00, vendor fee at \$50.00, arena rental at \$1000.00, small stage set-up at \$500.00 and 700 chairs at \$700.00. As Superintendent of Parks and Recreation, I would not suggest waiving the above fees. I will be in attendance at the City Council meeting to answer questions.

**From:** Kirk Gilchrist [<mailto:kirkgilchrist@twcny.rr.com>]

**Sent:** Wednesday, May 25, 2016 3:27 PM

**To:** Gardner, Erin; Saunders, Ann

**Cc:** Addison, Sharon

**Subject:** RE: Father's Day Service

Hello,

I'd like to request a waiver for our event on June 19<sup>th</sup>. This is a Father's Day service and event that will accommodate the whole community. We've worked tirelessly with schools, parks and rec, etc to provide free education, antibullying assemblies, "dream" series, Christmas give aways, etc and never charged the community nor the schools so I'd like to request the same for New Life during this event. Please let me know your thoughts.

Blessings,

Kirk Gilchrist

Pastor – New Life Christian Church



**CITY OF WATERTOWN, NEW YORK  
PARKS & RECREATION DEPARTMENT**

Watertown Municipal Arena  
600 William T. Field Drive  
Watertown, New York 13601  
parksrec@watertown-ny.gov  
Phone (315) 785-7775 • Fax (315) 785-7776



**ERIN E. GARDNER**  
Superintendent

**Date:** May 24, 2016  
**To:** The Honorable Mayor and City Council  
**From:** Erin E. Gardner, Superintendent of Parks and Recreation  
**Subject:** Advertising Fees

The Parks and Recreation Department would like to add advertising fees to the fee schedule for the arena. For the months of May through August, the arena will have the ability to allow businesses to advertise for the events that take place within the arena.

After speaking with a representative from the Watertown Wolves, the fees that I am suggesting are in line with what the Wolves currently charge for advertising. The Watertown Wolves have also offered to allow the City to use their advertising signs if one of their advertisers chooses to advertise with the City from May through August. The fees that I am suggesting are \$400 for a City resident from May through August and \$500 for a non-City resident from May through August. I am also suggesting a new fee to advertise on the TV in the lobby. The fees would be \$100 per month for City residents and \$125 for non-City residents.

Superintendent Gardner will be at the meeting to answer questions.

June 1, 2016

To: The Honorable Mayor and City Council  
From: James E. Mills, City Comptroller  
Subject: Sales Tax Revenue – April 2016

The City has received the monthly sales tax revenue amount from Jefferson County. In comparison to April 2015, this month's sales tax revenue on an actual to actual basis is up \$46,891 or 3.65%. In comparison to the original budget projection for the month, sales tax is up \$13,455 or 1.02%.

The year-to-date actual receipts are down \$183,476 or 1.30% while the year-to-date receipts on a budget basis are down \$550,397 or 3.80%. Year-to-date sales tax revenue is at \$13,930,699.

The attached spreadsheet shows the detail collections for this year and last year along with the budgeted amounts. Collections for the Fiscal Years' 2011-12, 2012-13, 2013-14 and 2014-15 have been included for historical perspective.

	<u>Actual 2011-12</u>	<u>Actual 2012-13</u>	<u>Actual 2013-14</u>	<u>Actual 2014-15</u>	<u>Actual 2015-16</u>	<u>Variance</u>	<u>% Inc/(Dec)to Prior Year</u>	<u>Quarterly Variance</u>	<u>% Inc/(Dec) to Prior Quarter</u>
July	\$ 1,359,433	\$ 1,361,364	\$ 1,492,579	\$ 1,412,829	\$ 1,509,325	\$ 96,496	6.83%		
August	\$ 1,319,714	\$ 1,357,130	\$ 1,463,877	\$ 1,247,954	\$ 1,494,788	\$ 246,834	19.78%		
September	\$ 1,886,899	\$ 2,071,785	\$ 1,760,254	\$ 2,206,655	\$ 1,683,486	\$ (523,169)	-23.71%	(179,839)	-3.69%
October	\$ 1,215,879	\$ 1,301,624	\$ 1,584,174	\$ 1,405,774	\$ 1,339,731	\$ (66,043)	-4.70%		
November	\$ 1,207,881	\$ 1,274,589	\$ 1,116,784	\$ 1,398,402	\$ 1,375,619	\$ (22,783)	-1.63%		
December	\$ 1,897,409	\$ 1,714,672	\$ 1,543,425	\$ 1,540,727	\$ 1,351,562	\$ (189,164)	-12.28%	(277,990)	-6.40%
January	\$ 1,195,675	\$ 1,276,483	\$ 1,238,468	\$ 1,261,235	\$ 1,332,286	\$ 71,051	5.63%		
February	\$ 1,036,230	\$ 1,160,663	\$ 1,076,005	\$ 1,059,321	\$ 1,084,467	\$ 25,146	2.37%		
March	\$ 1,624,451	\$ 1,453,454	\$ 1,471,964	\$ 1,295,074	\$ 1,426,339	\$ 131,266	10.14%	227,462	6.29%
April	\$ 1,217,913	\$ 1,293,493	\$ 1,271,765	\$ 1,286,204	\$ 1,333,096	\$ 46,891	3.65%		
May	\$ 1,224,057	\$ 1,373,513	\$ 1,298,653	\$ 1,288,547	\$ -				
June	\$ 2,029,525	\$ 1,609,032	\$ 1,699,052	\$ 1,726,963	\$ -			46,891	1.09%
YTD	\$ 17,215,066	\$ 17,247,801	\$ 17,017,001	\$ 17,129,685	\$ 13,930,699	\$ (183,476)	-1.30%		

	<u>Original Budget</u>		<u>Variance</u>	<u>%</u>	<u>Quarterly Variance</u>	<u>% Inc/(Dec) to Prior Quarter</u>
	<u>2015-16</u>	<u>Actual 2015-16</u>				
July	\$ 1,449,558	\$ 1,509,325	\$ 59,767	4.12%		
August	\$ 1,280,396	\$ 1,494,788	\$ 214,392	16.74%		
September	\$ 2,264,021	\$ 1,683,486	\$ (580,535)	-25.64%	(306,376)	-6.13%
October	\$ 1,442,320	\$ 1,339,731	\$ (102,589)	-7.11%		
November	\$ 1,434,756	\$ 1,375,619	\$ (59,137)	-4.12%		
December	\$ 1,580,780	\$ 1,351,562	\$ (229,218)	-14.50%	(390,944)	-8.77%
January	\$ 1,294,023	\$ 1,332,286	\$ 38,263	2.96%		
February	\$ 1,086,860	\$ 1,084,467	\$ (2,393)	-0.22%		
March	\$ 1,328,741	\$ 1,426,339	\$ 97,598	7.35%	133,468	3.60%
April	\$ 1,319,641	\$ 1,333,096	\$ 13,455	1.02%		
May	\$ 1,322,045	\$ -				
June	\$ 1,771,860	\$ -			13,455	0.30%
YTD	\$ 17,575,000	\$ 13,930,699	\$ (550,397)	-3.80%		

June 1, 2016

To: The Honorable Mayor and City Council  
From: Sharon Addison, City Manager  
Subject: Board and Commission Appointments

Below is a listing of vacancies on City Boards and Commissions for City Council review.

Staff is actively searching for candidates to recommend. Staff would also be happy to reach out to any new individual recommended by City Council.

<b>Board or Commission</b>	<b>Appointed By</b>	<b>Term</b>	<b>Name of Member</b>	<b>Date of Appt.</b>	<b>Term Expires</b>
Board of Assessment Review	Council	3 Years	William Parody	10/1/12	Resigned- 9/30/17
Board of Assessment Review	Council	3 Years	Lisa L'Huillier	1/5/15	9/30/16
Transportation Commission	Council	3 Years	Betsy Penrose	3/18/13	4/1/16