

CITY OF WATERTOWN, NEW YORK
AGENDA
Monday, August 19, 2019

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, August 19, 2019, 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 Correction of the 2019 City Tax Roll entry for 431 Harris Drive, Parcel No. 14-38-205.000
- Resolution No. 2 - Agreement Between the City of Watertown and the County of Jefferson, AAA Transportation Program
- Resolution No. 3 - Rescinding Award for Bid Janitorial Services for Citibus, C&T Cleaning Services
- Resolution No. 4 - Accepting Bid for Janitorial Services for Citibus, Meola Enterprises, LLC
- Resolution No. 5 - Accepting Bid for Black River Parkway Commerce Drive Pavement Rehabilitation, CFR Paving Inc.
- Resolution No. 6 - Adopting the Downtown-Riverfront Parks Connection Feasibility Study
- Resolution No. 7 - Finding That Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones Will Not Have A Significant Impact on the Environment
- Resolution No. 8 - Readopting Fiscal Years 2019-20 through 2023-24 Capital Budget

- Resolution No. 9 - Authorizing Sale of Real Property, Known as 302 High Street, to Thomas and Linda Chiarely, 302 High Street, Watertown, New York 13601
- Resolution No. 10 - Re-Adopt Fiscal Year 2019-20 General Fund Budget
- Resolution No. 11 - Amendment No. 121 to the Management And Management Confidential Pay Plan

ORDINANCES

- Ordinance No. 1 - Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones
- Ordinance No. 2 - An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City
- Ordinance No. 3 - An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

LOCAL LAW

- Proposed Local Law No. 2 of 2019 A Local Law Adopting Chapter 125-5 and 125-6 of the Code of the City of Watertown, Vacant Building Registry

PUBLIC HEARING

OLD BUSINESS

- Tabled Resolution Accepting Bid for Thompson Park Swimming Pool and Bathhouse, General Construction
- Tabled Resolution Accepting Bid for Thompson Park Swimming Pool and Bathhouse, Heating & Ventilation
- Tabled Resolution Accepting Bid for Thompson Park Swimming Pool and Bathhouse, Plumbing

Tabled Resolution Accepting Bid for Thompson Park Swimming Pool and
Bathhouse, Electrical

STAFF REPORTS

1. Request for Abate – 406 Gotham Street
2. Request for Abate – 196 Duffy Street
3. Public Hearing for the Community Development Block Grant Program
Consolidated Annual Performance and Evaluation Report (CAPER)

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS TUESDAY,
SEPTEMBER 3, 2019.**

Res No. 1

August 14, 2019

To: Richard M. Finn, City Manager
From: Brian Phelps, City Assessor
Subject: Correction of Error to 2019 City Tax Roll

The 2019 City Tax bill for the property at 431 Harris Drive improperly included an omitted tax charge based on the removal of multiple exemptions due to the deaths of the owners.

Included was the calculation for an exemption that rightfully remained based on unique language in the law. As a result, the current property owner overpaid the taxes by \$287.07.

The attached resolution authorizes the City Comptroller to correct the tax roll and to refund the over payment.

ACTION: City Manager recommends approval.

A handwritten signature in black ink, appearing to read 'R. Finn', is written over the end of the 'ACTION' line.

RESOLUTION

Page 1 of 1

Authorizing Correction of the 2019
City Tax Roll entry for 431 Harris Drive,
Parcel No. 14-38-205.000

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

WHEREAS Real Property Tax Law Section 554 authorizes the appropriate tax levying body to make corrections to the tax roll before the expiration of the warrant, and

WHEREAS the property at 431 Harris Drive, enjoys the benefit of a “Residential Home Improvement” exemption as authorized under Real Property Tax Law §421-f, and

WHEREAS pro rata taxes were calculated based on the loss of said exemption following the death of the property owner, and

WHEREAS by virtue of the NYS law governing the administration of said exemption, said exemption should not have been removed, and

WHEREAS City taxes have been paid in full on the amount billed including the erroneous pro rata amount,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that the 2019 City tax roll be amended to reflect that Parcel No. 14-38-205.000 pro rata City amount be reduced from \$434.96 to \$147.89, and

BE IT FURTHER RESOLVED by the City Council that the City Comptroller is hereby authorized to adjust the 2019 City tax bill and to refund the current owner \$287.07.

Seconded by



Application for Refund or Credit of Real Property Taxes

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Kathleen A. Burgess					
Mailing address of owners (number and street or PO box) 431 Harris Drive			Location of property (street address) 431 Harris Drive		
City, village, or post office Watertown		State NY	ZIP code 13601	City, town, or village Watertown	
Daytime contact number		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 14-38-205.000	
Account number (as appears on tax bill)		Amount of taxes paid or payable 1,990.30		Date of payment	
Reasons for requesting a refund or credit: Prorata taxes were calculated incorrectly resulting in an overcharge of \$287.07					

I hereby request a refund or credit of real property taxes levied by City of Watertown for the year(s) 2019.
(County, city, village, etc.)

Signature of applicant <i>Kathleen A. Burgess</i>	Date <i>7/24/19</i>
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Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received <i>7-31-19</i>	Date warrant annexed
Last day for collection of taxes without interest	Recommendation Approve application* <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <i>[Signature]</i>	Date <i>7-31-19</i>

* If this application is approved, and the same error appears on a current assessment roll, send a copy of this form, including all attachments, to the assessor and board of assessment review. They must treat this application as a petition for the correction of that current roll (Form RP-553).

Part 3 – For use by the tax levying body or official designated by resolution _____ : (insert number or date, if applicable)

Application approved (Mark an X in the applicable box):

Clerical error Error in essential fact Unlawful Entry

Amount of taxes paid	Amount of taxes due	Amount of refund or credit
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Application denied (reason): _____ _____ _____	
Signature of chief executive officer or official designated by resolution	Date

Instructions

General information

Where to send

Submit two copies of this application to the County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer). In a village which has retained its assessing unit status, submit to the village assessor or chairman of village board of trustees.

When to send

You must submit this application within three years of the annexation of the warrant for the collection of such tax.

Refunds

If the tax was already paid, and the application is approved, the applicant is entitled to a refund of the overpayment.

Credits

If the tax has not yet been paid, and the application is approved, the applicant is entitled to a credit reducing the amount of the outstanding tax. The corrected tax must be paid with the interest and penalties that have accrued up to that point. No additional interest and penalties will be imposed if the corrected tax is paid within eight days of the date on which the notice of approval is mailed to the applicant. The interest and penalties on the credited portion of the tax are cancelled.

Types of correctable errors

Real Property Tax Law (RPTL) section 550 recognize the following types of correctable errors:

Clerical error (RPTL section 550, subdivision 2):

- (a) an entry of assessed value on the tax roll which differs from the entry for the same parcel on the property record card, field book, or other final work product of the assessor, or the final verified statement of the board of assessment review due to an error in transcription
- (b) a mathematical error in the calculation of a partial exemption
- (c) an incorrect entry due to failure of the assessor to act on a partial exemption
- (d) an arithmetical error in the calculation or extension of the tax
- (e) an incorrect entry due to a mistake in the determination or transcription of a special assessment or other charge based on units of service provided by a special district
- (f) a duplicate entry of the description or assessed valuation, or both, of an entire single parcel
- (g) an entry on a tax roll which is incorrect by reason of an arithmetical mistake by the assessor appearing on the property record card, field book, or other final work product of the assessor
- (h) an incorrect entry on a tax roll of a re-levied school tax or re-levied village tax which has been previously paid
- (i) an entry on a tax roll which is incorrect by reason of a mistake in transcription of a re-levied school tax or re-levied village tax

Error in essential fact (RPTL section 550, subdivision 3):

- (a) the assessment of an improvement destroyed or removed prior to taxable status date
- (b) the assessment of an improvement not in existence or present on a different parcel

- (c) an incorrect entry of acreage which was considered by the assessor in valuing the parcel and which resulted in an incorrect assessed valuation, where such acreage is shown to be incorrect on a survey submitted by the applicant
- (d) not applicable to refunds
- (e) not applicable to refunds
- (f) misclassification of a parcel in an approved assessing unit which is exclusively used for either residential or non-residential purposes

Unlawful entry (RPTL section 550, subdivision 7):

- (a) an assessment of wholly exempt property on the taxable portion of the assessment roll
- (b) an assessment of real property located entirely outside the boundaries of the assessing unit, the school district, or the special district in which the real property is designated as being located
- (c) an entry made by a person or body without the authority to make such entry
- (d) an assessment of taxable state land which exceeds the assessment as approved by the Office of Real Property Tax Services (ORPTS)
- (e) an assessment of special franchise property which exceeds the final assessment as made by ORPTS or the full value of that special franchise as determined by ORPTS adjusted by the final state equalization rate established by the ORPTS for the assessment roll upon which that value appears

For an *unlawful entry*, attach a statement signed by assessor or majority of board of assessors substantiating that that parcel should have been granted tax exempt status on tax roll.



Application for Corrected Tax Roll

Part 1 – General information: To be completed in duplicate by the applicant.

Names of owners Kathleen A Burgess					
Mailing address of owners (number and street or PO box) 431 Harris Drive			Location of property (street address) 431 Harris Drive		
City, village, or post office Watertown		State NY	ZIP code 13601	City, town, or village Watertown	
Daytime contact number		Evening contact number		Tax map number of section/block/lot: Property identification (see tax bill or assessment roll) 14-38-205.000	
Account number (as appears on tax bill)			Amount of taxes currently billed 1,990.30		
Reasons for requesting a correction to tax roll: Prorata taxes were calculated incorrectly resulting in an overcharge of \$287.07					

I hereby request a correction of tax levied by City of Watertown for the year(s) 2019.
(County, city, village, etc.)

Signature of applicant <i>Kathleen A Burgess</i>	Date 7/24/19
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Part 2 – To be completed by the County Director or Village Assessor. Attach a written report including documentation and recommendation. Specify the type of error and paragraph of subdivision 2, 3, or 7 of Section 550 under which the error falls.

Date application received 7-31-19	Period of warrant for collection of taxes
Last day for collection of taxes without interest	Recommendation Approve application <input checked="" type="checkbox"/> Deny application <input type="checkbox"/>
Signature of official <i>[Signature]</i>	Date 7-31-19

If approved, the County Director must file a copy of this form with the assessor and board of assessment review of the city/town/village of City of Watertown who must consider the attached report and recommendation as equivalent of petitions filed under section 553.

Part 3 – For use by the tax levying body or official designated by resolution _____ : (insert number or date, if applicable)

Application approved (mark an X in the applicable box):

Clerical error Error in essential fact Unlawful Entry

Amount of taxes currently billed	Corrected tax
Date notice of approval mailed to applicant	Date order transmitted to collecting officer

Application denied (reason): _____ _____	
Signature of chief executive officer, or official designated by resolution	Date

Instructions

General information

Where to send

Submit two copies of this application to the County Director of Real Property Tax Services (in Nassau and Tompkins Counties, submit to Chief Assessing Officer).

When to send

Submit the application only **before** the collection warrant expires.

Wholly exempt parcel

Attach statement signed by assessor or majority of board of assessors substantiating that assessor obtained proof that parcel should have been granted tax exempt status on tax roll.

Payment requirements

You may pay without interest and penalties **only if**:

- the application was filed with the County Director on or before the last day that taxes may be paid without interest (see *Date application received* in Part 2); **and**
- you pay the corrected tax within eight days of the date on which the notice of approval is mailed to the applicant (see Part 3).

If either of these conditions is not satisfied, interest, penalties, or both must be paid on the corrected tax.

For use by Collecting Officer:

Order from tax levying body received on _____ .
Date

Corrected tax due	Date tax roll corrected
Interest and penalties (if applicable)	Date tax bill corrected
Total corrected tax due	Date application and order added to tax roll
Date payment received	

Signature of collecting officer	Date
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Res No. 2

August 13, 2019

To: The Honorable Mayor and City Council

From: Richard M. Finn, City Manager 

Subject: Agreement Between the City of Watertown and the County of Jefferson, AAA Transportation Program

The New York State Office for the Aging has agreed to provide State and Federal funds to the County of Jefferson to furnish specified transportation services to certain elderly residents within the County of Jefferson. The County has asked the City to assist them by providing this transportation service for the seniors within the CitiBus service area.

Attached for City Council consideration is an Agreement between the City of Watertown and the County of Jefferson, acting through the Jefferson County Office for the Aging. Under the terms of this Agreement, the City will provide transportation services through our CitiBus program to residents of Jefferson County who are sixty years of age or older to enable them to access and receive health, welfare and nutrition services. The Agreement is for the term April 1, 2019 to March 31, 2021, at a cost not-to-exceed \$5,600 annually.

A resolution approving the Agreement between the City of Watertown and the County of Jefferson, acting through the Jefferson County Office for the Aging, has been prepared for City Council consideration.

RESOLUTION

Page 1 of 1

Agreement Between the City of Watertown and the County of Jefferson, AAA Transportation Program

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

WHEREAS the New York State Office for the Aging has agreed to provide State and Federal funds to the County of Jefferson to furnish specified transportation services to certain elderly residents within the County of Jefferson, and

WHEREAS Jefferson County, acting through the Jefferson County Office for the Aging, wishes to enter into an Agreement with the City of Watertown to provide this service within the Citibus service area, and

WHEREAS the Agreement is to provide transportation services through our CitiBus program to residents of Jefferson County who are sixty years of age or older to enable them to access and receive health, welfare and nutrition services, and

WHEREAS the term of this Agreement is from April 1, 2019 through March 31, 2021, at a cost not-to-exceed \$5,600.00 annually,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves the Agreement between the City of Watertown and Jefferson County, acting through the Jefferson County Office for the Aging, a copy of which is attached and made a part of this resolution, and

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

Seconded by

County of Jefferson
Office of the County Attorney

County Office Building
175 Arsenal Street
Watertown, New York 13601
(315) 785-3088 (315) 785-5178 Fax

Fax not authorized for service



July 30, 2019

Richard Finn, Manager
City of Watertown
245 Washington Street
Watertown, NY 13601

Re: Jefferson County Office for the Aging Agreement(s) -
CitiBus Transportation Services for the Elderly - 4/1/19-3/31/21

Dear Sir/Madam:

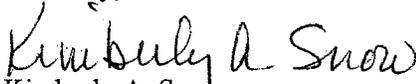
Please find enclosed, three duplicate originals of the above referenced agreement(s) for review and signature (in the presence of a Notary Public) by an authorized official. Once signed and notarized, kindly return all original duplicates to my attention with the proper insurance certificate(s) in order for us to forward them to the Chairman of the Board of Legislators for execution. Please be advised that contracts are not fully executed until proper insurance certificates are reviewed and approved.

Please note the insurance requirements in your contract. Also, I have enclosed a memo and sample insurance certificate that you should provide to your insurance agent in order to expedite the receipt of proper insurance certificates by this office. If a certain insurance requirement referenced in your agreement does not pertain to you, please make a request for a waiver of such coverage in writing directly to this office, to the attention of the County Attorney.

In order to further streamline the execution process, *please do not send the contracts without the certificates*. If your agent needs to update your certificates, please have them sent directly to you for inclusion in the packet. Contracts without proper insurance certificates will be returned to the department and will cause significant delays in the execution process. **Please contact Louise Haraczka, Jefferson County Office for the Aging Interim Acting Director if you have any questions regarding the provisions of the agreement(s).**

Thank you in advance for your anticipated cooperation.

Sincerely,


Kimberly A. Snow
Confidential Secretary
to the County Attorney

enc.

cc: Louise Haraczka, OFA

County of Jefferson
Office of the County Attorney

County Office Building
175 Arsenal Street
Watertown, New York 13601
(315) 785-3088 (315) 785-5178 Fax
Fax not authorized for service



PLEASE PROVIDE THIS TO YOUR INSURANCE AGENT

SUBJECT: INSURANCE CERTIFICATE & ENDORSEMENT REQUIREMENTS

I. Commercial General Liability Policy: Please mark either "Claims Made" or "Occur"; General Aggregate Limit will apply either per "Policy" or "Location". If "Location" is marked, a separate endorsement will need to be provided evidencing which locations are covered by the policy.

II. Automobile Liability Policy: Marking "Any Auto" is acceptable for referencing insurance coverage for all owned, hired and non-owned autos. If your business does not own any motor vehicles, then it will be necessary to verify same and request a waiver from providing "owned autos" coverage in writing to this office.

If your business does not own any motor vehicles and does not utilize any hired or non-owned motor vehicles for the provision of services or transportation of clients and/or Jefferson County employees, then it will be necessary to document that fact and request a waiver from providing automobile insurance coverage in writing to this office.

III. Additional Insured & Waiver of Subrogation Requirements

A. Commercial General Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds. If services are being provided directly to Jefferson County, then in addition, a waiver of subrogation shall apply in favor of Jefferson County, its officers, employees and agents.

B. Professional Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds **unless** services are being provided directly to Jefferson County, in which case such additional insured requirement shall not apply.

C. Automobile Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds **only** if the services to be provided are transportation services.

A copy of the additional insured and waiver of subrogation endorsement forms must also be submitted with the certificates of insurance.

IV. Workers Compensation and Disability Insurance Coverage: This office will only accept proof of (or exemption from) NYS Workers Compensation and Disability Insurance submitted on the approved forms from the NYS Workers Compensation Board and as described in your contract. ACORD forms are **not** acceptable.

V. Extended Reporting Coverage and Retroactive Date: If your Commercial General Liability and/or Professional Liability policies are "claims made" and are not replaced with another "claims made" policy(ies) which provides continuing, uninterrupted coverage, you will be required to purchase extended reporting coverage for a minimum of **three (3) years** after completion of all work required under your contract with Jefferson County. In addition, the retroactive date for all such "claims made" policy(ies) must be at least **one (1) year** prior to the commencement date of your contract and must be shown on the appropriate ACORD Form Certificate of Insurance.

County of Jefferson
Office of the County Attorney



County Office Building
175 Arsenal Street
Watertown, New York 13601
(315) 785-3088 (315) 785-5178 Fax

Fax not authorized for service

July 30, 2019

Richard Finn, Manager
City of Watertown
245 Washington Street
Watertown, NY 13601

Re: Jefferson County Office for the Aging Agreement(s) -
CitiBus Transportation Services for the Elderly - 4/1/19-3/31/21

Dear Sir/Madam:

Please find enclosed, three duplicate originals of the above referenced agreement(s) for review and signature (in the presence of a Notary Public) by an authorized official. Once signed and notarized, kindly return all original duplicates to my attention with the proper insurance certificate(s) in order for us to forward them to the Chairman of the Board of Legislators for execution. Please be advised that contracts are not fully executed until proper insurance certificates are reviewed and approved.

Please note the insurance requirements in your contract. Also, I have enclosed a memo and sample insurance certificate that you should provide to your insurance agent in order to expedite the receipt of proper insurance certificates by this office. If a certain insurance requirement referenced in your agreement does not pertain to you, please make a request for a waiver of such coverage in writing directly to this office, to the attention of the County Attorney.

In order to further streamline the execution process, *please do not send the contracts without the certificates*. If your agent needs to update your certificates, please have them sent directly to you for inclusion in the packet. Contracts without proper insurance certificates will be returned to the department and will cause significant delays in the execution process. **Please contact Louise Haraczka, Jefferson County Office for the Aging Interim Acting Director if you have any questions regarding the provisions of the agreement(s).**

Thank you in advance for your anticipated cooperation.

Sincerely,

Kimberly A. Snow
Confidential Secretary
to the County Attorney

enc.

cc: Louise Haraczka, OFA

County of Jefferson
Office of the County Attorney

County Office Building
175 Arsenal Street
Watertown, New York 13601
(315) 785-3088 (315) 785-5178 Fax
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II. Automobile Liability Policy: Marking "Any Auto" is acceptable for referencing insurance coverage for all owned, hired and non-owned autos. If your business does not own any motor vehicles, then it will be necessary to verify same and request a waiver from providing "owned autos" coverage in writing to this office.

If your business does not own any motor vehicles and does not utilize any hired or non-owned motor vehicles for the provision of services or transportation of clients and/or Jefferson County employees, then it will be necessary to document that fact and request a waiver from providing automobile insurance coverage in writing to this office.

III. Additional Insured & Waiver of Subrogation Requirements

A. Commercial General Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds. If services are being provided directly to Jefferson County, then in addition, a waiver of subrogation shall apply in favor of Jefferson County, its officers, employees and agents.

B. Professional Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds **unless** services are being provided directly to Jefferson County, in which case such additional insured requirement shall not apply.

C. Automobile Liability Policy: Jefferson County, its officers, employees and agents are to be named as primary and non-contributory additional insureds **only** if the services to be provided are transportation services.

A copy of the additional insured and waiver of subrogation endorsement forms must also be submitted with the certificates of insurance.

IV. Workers Compensation and Disability Insurance Coverage: This office will only accept proof of (or exemption from) NYS Workers Compensation and Disability Insurance submitted on the approved forms from the NYS Workers Compensation Board and as described in your contract. ACORD forms are **not** acceptable.

V. Extended Reporting Coverage and Retroactive Date: If your Commercial General Liability and/or Professional Liability policies are "claims made" and are not replaced with another "claims made" policy(ies) which provides continuing, uninterrupted coverage, you will be required to purchase extended reporting coverage for a minimum of **three (3) years** after completion of all work required under your contract with Jefferson County. In addition, the retroactive date for all such "claims made" policy(ies) must be at least **one (1) year** prior to the commencement date of your contract and must be shown on the appropriate ACORD Form Certificate of Insurance.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. IF SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Entity Producing Certificate Address _____ Phone _____ Fax _____	CONTACT NAME: Insurance Agent	
	PHONE (A/C No. Ext): _____	FAX (A/C No.): _____
E-MAIL ADDRESS: _____		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURED Vendor Name _____ Vendor Address _____		
INSURER A: Insurance Company Name		
INSURER B: _____		
INSURER C: _____		
INSURER D: _____		
INSURER E: _____		
INSURER F: _____		

COVERAGES **CERTIFICATE NUMBER:** _____ **REVISION NUMBER:** _____

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
	COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER: _____						EACH OCCURRENCE \$ _____ DAMAGE TO RENTED PREMISES (Ea occurrence) \$ _____ MED EXP (Any one person) \$ _____ PERSONAL & ADV INJURY \$ _____ GENERAL AGGREGATE \$ _____ PRODUCTS - COMP/OP AGG \$ _____ \$ _____
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ _____ BODILY INJURY (Per person) \$ _____ BODILY INJURY (Per accident) \$ _____ PROPERTY DAMAGE (Per accident) \$ _____ \$ _____
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED _____ RETENTION \$ _____						EACH OCCURRENCE \$ _____ AGGREGATE \$ _____ \$ _____
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> N/A					PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ _____ E.L. DISEASE - EA EMPLOYEE \$ _____ E.L. DISEASE - POLICY LIMIT \$ _____

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder, its officers, employees and agents are listed as primary and non-contributory additional insureds as required by written contract ** (List specific contract and contract period)

CERTIFICATE HOLDER Jefferson County 195 Arsenal Street Watertown, NY 13601	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE _____
--	--

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AGREEMENT

This Agreement, made the ___ day of _____, 20___, by and between

THE COUNTY OF JEFFERSON, a municipal corporation of the State of New York, with principal offices located at 195 Arsenal Street, Watertown, New York 13601 (hereinafter referred to as "**COUNTY**"), acting through the Jefferson Office for the Aging, (hereinafter referred to as "**OFA**"),

- and -

THE CITY OF WATERTOWN, a municipal corporation of the State of New York with a principal place of business located at 245 Washington Street, Watertown, New York 13601 (hereinafter referred to as "**CONTRACTOR**") (COUNTY and CONTRACTOR are hereinafter collectively referred to as "the Parties").

WITNESSETH:

WHEREAS, New York State Office for Aging has agreed to provide State and Federal funds to COUNTY from certain grant programs pursuant to Section 541 of the Executive Law of the State of New York; New York State and any amendments thereto; and

WHEREAS, OFA is charged with the responsibility of administering the AAA Transportation Program in the County of Jefferson, State of New York; and

WHEREAS, COUNTY desires to contract with CONTRACTOR for the furnishing of specified transportation services to certain elderly residents within the County of Jefferson; and

WHEREAS, CONTRACTOR is able to and desires to provide the aforesaid services to COUNTY,

NOW, THEREFORE, In consideration of the mutual promises and covenants contained herein, the Parties agree as follows:

SECTION 1. DEFINITIONS

For the purposes of this Agreement, the following terms shall have the meanings indicated:

NYSOFA	The New York State Office for the Aging.
PARTICIPANT	A resident the County of Jefferson New York who is sixty years of age or older and who is otherwise eligible to receive services under Title III of the Older Americans Act as amended, or under Section 541 of the New York Executive Law.
SERVICES	The provision of transportation and escort services within CONTRACTORS existing service area to PARTICIPANTS who require transportation to enable them to access and receive health, welfare and nutrition services.

References in this Agreement to the singular shall be deemed to include the plural; references to the male gender shall be deemed to include the female gender; and references to an individual shall be deemed to include other legal entities where the context so indicates.

SECTION 2. TERM OF AGREEMENT

This Agreement shall take effect on April 1, 2019, and is for the period of April 1, 2019 through and including March 31, 2021.

SECTION 3. TERMINATION

This Agreement may be terminated by either party at any time upon thirty (30) day written notice to the other party. Said thirty (30) day period shall commence on the date such notice is actually received by the other party.

SECTION 4. CONTRACTOR REPRESENTATIONS AND ACKNOWLEDGMENTS

CONTRACTOR represents that it is fully licensed (to the extent required by law), experienced and properly qualified to perform the SERVICES as provided under this Agreement and that it is properly permitted, staffed, trained, equipped, organized and financed to perform such SERVICES.

CONTRACTOR hereby acknowledges that it is aware that COUNTY will rely upon the accuracy of information supplied by CONTRACTOR pursuant to this Agreement in submitting claims for reimbursement from government sources. CONTRACTOR also acknowledges that it is aware that there are significant penalties for submitting false information to governmental agencies, including the possibility of fines and imprisonment. CONTRACTOR shall be responsible for any monetary fine, penalty or sanction imposed upon COUNTY, its officers, employees and agents as a consequence of the use by COUNTY of false information submitted to the COUNTY by CONTRACTOR, unless it is shown the COUNTY had actual prior knowledge of the falsity of such information.

CONTRACTOR represents that it is not a sectarian organization and does not have as one of its purposes the advancement of a particular religion. CONTRACTOR further represents and promises that funds received pursuant to this Agreement shall not be utilized for sectarian purposes and CONTRACTOR shall not engage in the promotion or advancement of any particular religious practices during the performance of its duties under this Agreement.

SECTION 5. GENERAL STATEMENT OF SERVICES AND RESPONSIBILITIES

CONTRACTOR shall provide all necessary and appropriate facilities, personnel, equipment, and supplies, including, but not limited to licensed drivers (operating and supervisory), insurance, fuel and oil, to render SERVICES to PARTICIPANTS.

SECTION 6. RECORD KEEPING; AUDIT AND INSPECTION

CONTRACTOR agrees to maintain books, records, documents, and other evidence and accounting procedures and practices which sufficiently and properly reflect all direct and indirect costs of any nature expended in the performance of this agreement. These records shall be subject at all reasonable times for inspection, review or audit by State personnel and other personnel duly authorized by COUNTY. CONTRACTOR agrees to collect statistical data of a fiscal nature on a regular basis and to make fiscal and statistical reports at times prescribed by and on forms furnished by COUNTY through the Office for Aging and duly authorized by the State Office for Aging.

CONTRACTOR agrees to maintain program and statistical records and to produce program narrative and statistical data at times as prescribed by, and on forms furnished by OFA. Upon reasonable request,

CONTRACTOR shall provide COUNTY, NYSOFA and/or the United States government with other reports concerning SERVICES provided pursuant to this Agreement.

CONTRACTOR agrees to retain all books, records, and other documents relevant to this agreement for six (6) full years after final payment. Federal and/or State auditors and any persons duly authorized by COUNTY shall have full access to and the right to examine any of said materials during said period.

CONTRACTOR shall have its premises open for inspection by officials of OFA and/or COUNTY, State of New York, and/or the United States Government at any time during normal business hours.

SECTION 7. GRIEVANCE PROCEDURES

Should PARTICIPANTS, family members or care givers, express dissatisfaction with or be denied SERVICES, CONTRACTOR shall immediately undertake to informally resolve the complaint. Should any such matter not be satisfactorily resolved, CONTRACTOR shall notify the individual of his right to file a formal written grievance in accordance with OFA's Grievance Procedures, which are outlined in **Appendix "A"** and which by this reference are made a part of this Agreement. CONTRACTOR shall post the Grievance Procedures in a prominent location at the SERVICE delivery site. All staff of CONTRACTOR providing SERVICES are to be instructed concerning these grievance procedures and must verbally inform unsatisfied PARTICIPANTS, family members or care givers of their right to file a grievance.

SECTION 8. COMPLIANCE WITH ALL LAWS

The CONTRACTOR agrees that during the performance its obligations required pursuant to this Agreement, CONTRACTOR and all officers, employees, agents or representatives working under CONTRACTOR'S direction shall strictly comply with all local, state or federal laws, ordinances, rules or regulations applicable to the SERVICES and this Agreement, and including, but not limited to, compliance with all laws and other legal obligations outlined in **Appendix "B"** which is attached hereto and made a part of this Agreement.

SECTION 9. FINANCIAL ARRANGEMENTS

COUNTY shall pay CONTRACTOR in full satisfaction for SERVICES rendered in accordance with this Agreement the sum, not to exceed FIVE THOUSAND SIX HUNDRED DOLLARS (\$5,600.00) annually for the entire period of the Agreement. PARTICIPANT contributions are projected to be FOUR THOUSAND NINE HUNDRED DOLLARS AND 00/100 (\$4,900.00). The total value of the Agreement shall not exceed ELEVEN THOUSAND TWO HUNDRED DOLLARS AND 00/100 (\$11,200.00) for the entire period of the Agreement. CONTRACTOR shall submit to COUNTY a claim for SERVICES rendered. Each claim shall be accompanied by: (A) a listing of PARTICIPANTS who were actually provided with SERVICES by CONTRACTOR with reference to the number of one-way trips provided to each PARTICIPANT; and (B) a listing of the amount of contributions received from all PARTICIPANTS.

CONTRACTOR agrees to notify PARTICIPANTS of the opportunity to contribute towards the cost of SERVICES in accordance with to a suggested contribution schedule supplied by OFA. SERVICES provided to PARTICIPANTS shall not be adversely affected by a failure to contribute to all or part of the cost of SERVICES.

CONTRACTOR agrees not to request payment for, or to receive payment for services which are not rendered in compliance with this Agreement.

SECTION 10. CONTRACT DEEMED EXECUTORY

This Agreement shall be deemed executory only to the extent of funds appropriated by the Jefferson County Board of Legislators and or the governments of the State of New York and the United States and available for the purposes of this Agreement; and no liability on account thereof shall be incurred by the

COUNTY beyond the amount of such funds. It is understood and agreed that neither this Agreement, nor any representation by any public employee or officer creates any legal, moral or equitable obligation on the part of the COUNTY to request, appropriate or make additional funds available for the purposes of this Agreement.

SECTION 11. ASSIGNMENT; SUBCONTRACTING

CONTRACTOR shall not assign, transfer, convey, or otherwise dispose of this Agreement, or the right to execute it, or the right, title or interest in or to it or any part thereof, or assign, by power of attorney or otherwise, unless the previous written consent of COUNTY has first been obtained. Any attempted or purported assignment without such prior written consent shall be void. The provisions of this clause shall not hinder, prevent, or affect any assignment by CONTRACTOR for the benefit of its creditors made pursuant to the Laws of the State of New York.

CONTRACTOR will not subcontract its duties hereunder without the prior written consent of COUNTY. This provision does not prohibit CONTRACTOR from entering into employment contracts or, contracts for the acquisition of goods or facilities or the provision of services which are ancillary to the main purpose of this Agreement and are not directly related to the provision of SERVICES hereunder without consent of COUNTY. Prior to submitting a subcontractor for approval under this Section, CONTRACTOR shall diligently inquire into the capability, qualifications and background of the subcontractor, and the submission of a subcontractor for approval shall constitute an affirmative representation by CONTRACTOR that the subcontractor is fully capable, qualified and licensed to provide the subcontracted SERVICES.

Any subcontract entered into by CONTRACTOR pursuant to this section shall provide that CONTRACTOR will retain ultimate control and responsibility for the service provided under the subcontract and that the subcontractor shall be bound by the provisions of the Agreement between CONTRACTOR and COUNTY and any other requirements applicable to CONTRACTOR in the provision of SERVICES pursuant to this Agreement. No contractual relationship shall be deemed to exist between any subcontractor and COUNTY, nor shall CONTRACTOR be relieved of any of its obligations under this Agreement, as a consequence of any subcontract approved by COUNTY under this Section.

SECTION 12. INSURANCE REQUIREMENTS

CONTRACTOR shall maintain or cause to be maintained, in full force and effect during the term of this Agreement, at its expense, Workers' Compensation insurance, Employer's Liability Insurance, Disability Insurance, Commercial General Liability Insurance, Motor Vehicle Liability Insurance, and other insurance with stated minimum coverages, all as listed below. Such policies are to be in the broadest form available on usual commercial terms, shall be written by insurers licensed to do business in the State of New York and which have an A.M. Best Rating of A(-) or better as determined in the most recent A.M. Best publication, and who have been fully informed as to the nature of the SERVICES to be performed, and shall cover risks and liability to CONTRACTOR resulting from this Agreement. Commercial General Liability shall include personal injury liability.

The COUNTY, its officers, employees and agents shall be named as additional insureds on a primary and non-contributory basis on CONTRACTOR'S Commercial General Liability and Motor Vehicle Liability policies. It is further understood that any obligations imposed upon the insured (including, without limitation, the liability to pay premiums) shall be the sole obligation of CONTRACTOR and not those of the COUNTY.

Notwithstanding anything to the contrary in this Agreement, CONTRACTOR irrevocably waives all claims against the COUNTY for all losses, damages, claims or expenses resulting from risks commercially insurable under this insurance described in this Section. The provision of insurance by CONTRACTOR shall not in any way limit CONTRACTOR's liability under this Agreement.

Type of Coverage

MINIMUM Limits of coverage

Workers' Compensation and NYS Disability	Statutory
Business Automobile Liability (Combined Bodily Injury and Property Damage arising out of the ownership, operation, use, loading or unloading of all owned, leased, hired and non-owned vehicles)	\$1,000,000 Combined Single Limit
Commercial General Liability, (including Broad form contractual Liability, combined bodily injury and property damage)	\$1,000,000 Each Occurrence \$2,000,000 General Aggregate Limit \$2,000,000 Products-Completed Operations \$1,000,000 Advertising/Personal Injury \$5,000 Premises Medical Payment

Each policy of insurance required herein shall be specifically endorsed to provide that in the event of cancellation, non-renewal, or material change on the part of the insurer, prior written notice shall be provided to COUNTY in accordance with the terms of the CONTRACTOR'S policy. The inclusion of such endorsement shall be confirmed on the certificates of insurance required herein.

At the time of execution of this Agreement, and upon each policy renewal, CONTRACTOR shall submit to COUNTY certificates of insurance evidencing CONTRACTOR's compliance with the requirements of this Section, including certificates of insurance from any approved subcontractors. The CONTRACTOR shall furnish the appropriate ACORD Form Certificate of Insurance to COUNTY to evidence all coverage set forth above except Workers' Compensation and Disability Insurance. **A copy of the additional insured endorsement forms must be submitted with the insurance certificates.**

Workers' Compensation coverage must be evidenced by Form C105.2 or New York State Insurance Fund Form U26.3. Disability Insurance coverage must be evidenced by Form DB120.

REQUIRED EXTENDED REPORTING COVERAGE FOR CLAIMS BASED POLICIES

In the event that CONTRACTOR'S Commercial General Liability Policy is a "claims made" policy, and coverage thereunder is cancelled or otherwise not renewed, and such policy is not replaced with another "claims made" Commercial General Liability Policy which provides continuing, uninterrupted coverage, CONTRACTOR shall be required to purchase extended reporting products-completed operations coverage for a minimum of three (3) years after completion of all work required of CONTRACTOR under this Agreement.

REQUIRED MINIMUM RETROACTIVE DATE FOR CLAIMS BASED POLICIES

In the event that CONTRACTOR'S Commercial General Liability Policy is a "claims made" policy, the retroactive date for products-completed operations coverage under such policy must be at least one (1) year prior to the commencement date of this Agreement and must be shown on the appropriate ACORD Form Certificate of Insurance furnished to COUNTY.

SECTION 13. INDEMNIFICATION

CONTRACTOR agrees to indemnify, defend and hold harmless COUNTY, and its officers, employees and agents from and against any and all claims, liens, demands, judgments, penalties, fines, liabilities, settlements, damages, costs and expenses of whatever kind or nature (including, without limitation, attorneys'

fees and disbursements), known or unknown, contingent or otherwise, whether incurred as a result of a claim by a third party or any other person or entity, arising out of or in any way related to: (a) the operations or work of CONTRACTOR in the performance of this Agreement; or (b) the CONTRACTOR'S failure to comply with any of the provisions of this Agreement or of the Law.

The acts or omissions of any party employed directly or indirectly by CONTRACTOR shall be deemed to be that of CONTRACTOR for the purposes of the CONTRACTOR's obligations to defend, indemnify and hold harmless under this Section. The fact that a party so employed by CONTRACTOR is alleged or is proven to have acted outside the scope of employment, agency or contract, shall not release CONTRACTOR of any of its obligations under this Section.

Insofar as the facts and Law relating to any claim would preclude COUNTY or its officers, employees or agents, from being completely indemnified by CONTRACTOR, COUNTY and officers, agents, and employees, shall be partially indemnified by CONTRACTOR to the fullest extent permitted by Law.

SECTION 14. NON-DISCRIMINATION

CONTRACTOR will not discriminate against any employee, applicant for employment or PARTICIPANT because of race, creed, color, gender, national origin, age, disability, sexual orientation or marital status.

SECTION 15. NONWAIVER

In the event that the terms and conditions of the Agreement are not strictly enforced by the COUNTY, such non-enforcement shall not act as or be deemed to act as a waiver or modification of this Agreement, nor shall such non-enforcement prevent the COUNTY from enforcing each and every term of this Agreement thereafter.

SECTION 16. REMEDIES

The remedies available to COUNTY specified in this Agreement shall be cumulative and in addition to any other remedies available by law or in equity.

SECTION 17. APPLICABLE LAW

This Agreement shall be governed by the Laws of the State of New York, without regard to conflict of law principles thereof.

SECTION 18. PROVISIONS REQUIRED BY LAW DEEMED INSERTED

Clauses required by law to be inserted in this Agreement shall be deemed to be incorporated herein and the Agreement shall be read and enforced as though they were included herein. If through mistake or otherwise, any such provision is not inserted or is not correctly inserted, then upon the application of either party, the Agreement shall forthwith be physically amended to make such correct insertion.

SECTION 19. SEVERABILITY

Should any provision of this Agreement be declared or found to be illegal, unenforceable, ineffective or void by a Court of competent jurisdiction, then (a) such provision shall be deemed stricken; (b) the balance of this Agreement, if capable of performance, shall remain in full force and effect; and (c) in the event that a provision is stricken pursuant to this Section then the Agreement shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

COUNTY OF JEFFERSON

By: _____
Scott A. Gray
Chairman, Board of Legislators

By: *Louise Haraczka*
Louise Haraczka
Interim Acting Director, Office for the Aging

CONTRACTOR

By: _____
Richard Finn
City Manager, City of Watertown
Tax Id No. _____

ACKNOWLEDGEMENTS

STATE OF NEW YORK)

ss.:

COUNTY OF JEFFERSON)

On this ___ day of _____, 20___, before me personally came **SCOTT A. GRAY**, to me personally known, who, being by me duly sworn, did depose and say that he is the Chairman of the Board of Legislators of Jefferson County, the municipal corporation described in and which executed the foregoing instrument; that he signed his name hereto for and on behalf of said County by order of the Jefferson County Board of Legislators.

NOTARY PUBLIC

STATE OF NEW YORK)

ss.:

COUNTY OF JEFFERSON)

On this 30 day of July, 2019, before me personally came **LOUISE HARACZKA**, to me personally known, who, being by me duly sworn, did depose and say that she is the Acting Interim Director of the Jefferson County Office for the Aging, the administrative agency described in and which executed the foregoing instrument; that she signed her name hereto for and on behalf of said administrative agency by order of the Jefferson County Board of Legislators.

Deborah Alvarado

NOTARY PUBLIC DEBORAH ALVARADO
Notary Public, State of New York
Qualified in Jefferson County
Reg. No. 01AL6330743
My Commission Expires Sept. 21, 2019

STATE OF NEW YORK)

ss.:

COUNTY OF JEFFERSON)

On this ___ day of _____, 20___, before me personally came **RICHARD FINN**, to me personally known, who, being by me duly sworn, did depose and say that (s)he is the City Manager of the City of Watertown, the **CONTRACTOR** described in and which executed the foregoing instrument, and (s)he executed said instrument for and on behalf of said **CONTRACTOR**.

NOTARY PUBLIC

JEFFERSON COUNTY OFFICE FOR THE AGING
GRIEVANCE PROCEDURES

I. Purpose

A. In accordance with Section 306 (a) (6) (P) of the Older Americans Act, as amended (OAA), the Jefferson County Office for the Aging has established the following process for resolving complaints from older persons who are dissatisfied with or denied services funded under Title III of the Act.

II. Notifying Participants of Right to File Grievance

A. The Jefferson County Office for the Aging and each of its service provider agencies providing Title III services ("service provider agencies") shall notify participants and applicants of their right to file a grievance, as follows:

- 1) A summary of the procedures, including a statement that assistance to file shall be provided to older persons, must be prominently posted at service delivery sites or offices at which participants and service applicants apply for services. Summaries shall also be written in languages other than English where required to serve the client/applicant population.
- 2) In-home services participants shall be informed of the grievance procedures through written and verbal statements provided to them upon assessment and/or reassessment for services.

B. Denial of Service. A participant or applicant who is denied Title III services must be given the reasons for the denial. For housekeeping, homemaker, home delivered meals, case management, and other services for which written applications are made, the denial shall be confirmed in writing and the applicant informed of the right to file a grievance and to whom the grievance shall be addressed. For congregate meals, transportation, recreation and other services which are applied for by telephone or verbally, in person, the client may be told of the right to file a grievance verbally.

III. Grievance Process

A. Filing of Grievance

(1) Participants must submit their grievances in writing to the person(s) or office that has been designated by a service provider or by the Jefferson County Office for the Aging Director, whichever is appropriate, to conduct the initial review. The reviewer may be the director of the service provider agency of the Jefferson County Office for the Aging, or any other person designated by such director who is not familiar with or otherwise involved in the grievance.

(2) The grievance should be filed within thirty (30) days of denial, reduction or termination of services, or of the event or circumstance with which the participant is dissatisfied.

The Jefferson County Office for the Aging or service provider may grant an extension for good cause shown.

(3) The grievance should be filed on the form provided by the Jefferson County Office for the Aging which shall include a written statement setting forth in detail the date, time and circumstances that are the basis of the complaint.

B. Investigation and Response to Grievance

(1) The designated reviewer who performs the initial review shall investigate the grievance, including, as appropriate, meeting with the grievant and other persons involved in the action(s) complained of or in the denial of services.

The reviewer shall review all pertinent facts and/or documents, and shall determine whether the agency action was made in accordance with lawful procedures (that is, consistent with applicable OAA and or State laws, regulations and policies) and supported by the facts.

(2) The designated reviewer shall prepare and send a written response to the grievant and to the Jefferson County Office for the Aging Director within fifteen (15) days after the grievance is filed. The response shall set forth the circumstances relating to the grievance, the action requested by the grievant, the findings of the reviewer, a proposed remedial action, if any, and reason(s) for and facts relied on in the determination. If the grievance is being handled by a subcontractor organization, a copy of its decision must be forwarded to the Director of the Jefferson County Office for the Aging.

C. Appeal of Initial Response/Decision

(1) If the complaint has been handled by a service provider agency, under subcontract to the Jefferson County Office for the Aging, and the grievant is not satisfied with its determination, she/he has the right to further review as follows:

(a) She/he may initiate a request for subsequent review by the Jefferson County Office for the Aging Director within twenty (20) calendar days following receipt of notification by the service provider agency of its decision.

(b) The Jefferson County Office for the Aging Director shall request, and the subcontractor agency shall provide, copies of the initial file on the complaint in question. The Jefferson County Office for the Aging Director will review the materials to ensure that pertinent policies and procedures have been applied and followed. If appropriate, the Jefferson County Office for the Aging Director will meet with the older person to allow the grievant an opportunity to present information about the grievance.

(c) If policies and procedures have been adhered to, The Jefferson County Office for the Aging Director will not overturn the decision of its subcontractor agency. If proper policies and procedures have not been applied, the Jefferson County Office for the Aging reserves the right to overturn the decision. The subsequent review shall be completed within forty-five (45) days of receipt of the request by the older individual and the grievant will be notified in writing of the result of the subsequent review.

IV. Recordkeeping

The Jefferson County Office for the Aging or service provider agency which is handling the grievance shall keep a file, for six years, of all relevant documents and records. This shall include at a minimum: the initial grievance; any investigative reports; any written response submitted by the Jefferson County Office for the Aging or service provider agency; any documents or other records submitted by any party; the written Initial Response of the agency; and, if applicable, the notice to the grievant of the right to an appeal.

V. Confidentiality

No information, documents or other records relating to a grievance shall be disclosed by program staff or volunteers in a form that identifies the grievant without the written informed consent of the grievant, unless the disclosure is required by court order or for program monitoring by authorized agencies.

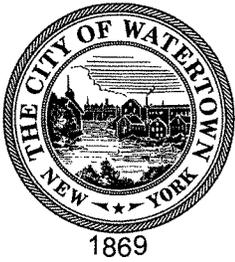
APPENDIX "B"

Standard Terms and Conditions for Aging Programs and Services Contracts

1. Statutes, Regulations, and Policies: Contractor agrees that all its activities under this Contract shall conform with all applicable Federal, State, and Local laws, and with Federal and State regulations, and program standards and Program Instructions of the New York State Office for the Aging (NYSOFA) that apply to such activities, including, but not limited to:
 - Rehabilitation Act of 1973, Sec. 504 (29 U.S.C. 794, Nondiscrimination)
 - Americans with Disabilities Act of 1990 (42 U.S.C. 12101, et seq.; see 92-PI-32, [8/4/92])
 - Civil Rights Act of 1964, Title VI, as amended (42 U.S.C. 2000-d et. seq.)
 - Older Americans Act
 - Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency)
 - Federal Executive Order 11246, as Amended by Executive Order 11375 (Affirmative Action); as Amended by Executive Order 12086 (Consolidation of Compliance Functions); and as Amended by Executive Order 13279 (Equal Protection for Faith-Based and Community Organizations.)
 - Executive Law, Article 15 (State Human Rights Law Prohibiting Discrimination Based on Race, Color, Creed, National Origin, Sex, Age, Disability, Sexual Orientation and Other Factors)
 - Equal Access to Services and Targeting Policy (12-PI-08)
 - Elder Law
2. Targeting: Contractor, to the extent it has discretion regarding to whom it will provide services, agrees to provide services to those unserved and underserved older adults in greatest social or economic need, particularly those who are low-income, low-income minorities, older adults with limited English proficiency, Native Americans, and frail/persons with disabilities and older adults residing in rural areas, in accordance with their need for such services, and to meet specific objectives established by the AAA for providing services to the above groups within the PSA. The Contractor agrees to concentrate the services on older adults in the targeted populations identified by the AAA following the methods the AAA has established for complying with the targeting requirements under the Older Americans Act and the Equal Access and Targeting Policy issued by the New York State Office for the Aging.
3. Language Access: Contractor shall inform persons with limited English proficiency (LEP) of the availability of language assistance, free of charge, by providing written notice of such assistance in a manner designed to be understandable by LEP persons at service locations and, at a minimum, have a telephonic interpretation service contract or similar community arrangement with a language interpretation services provider of their choice. The Contractor shall train staff that have contact with the public in the timely and appropriate use of these and other available language services.

4. Conformance with AAA Area Plan: To the extent that the contract with the AAA is for a program or service funded under the Area Plan, Contractor agrees that it and any subcontractors will perform such work in accordance with the terms of the Area Plan. The AAA agrees to make the Area Plan available to Contractor.

5. Contractor agrees that for programs established and funded in whole or in part pursuant to Title III of the Older Americans Act, Contractor shall: specify how it intends to satisfy the service needs of low-income minority individuals, older adults with limited English proficiency, and older adults residing in rural areas in the area served by it; to the maximum extent feasible, provide services to low-income minority individuals, older individuals with limited English proficiency, and older adults residing in rural areas in accordance with their need for such services; and meet specific objectives established by the AAA, for providing services to low-income minority individuals, older adults with limited English proficiency, and older adults residing in rural areas within the planning and service area.



CITY OF WATERTOWN, NEW YORK

ROOM 302, CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
E-MAIL DMorrow@watertown-ny.gov
Phone (315) 785-7749 Fax (315) 785-7752

Dale Morrow
Purchasing Manager

Res Nos. 3 and 4

MEMORANDUM

TO: Richard M. Finn, City Manager
FROM: Dale Morrow, Purchasing Manager
SUBJECT: 2019-22 – Janitorial Services for Citibus
DATE: 08/9/19

The City's Purchasing Department advertised in the Watertown Daily Times on July 24, 2019, calling for sealed bids for the Janitorial Services for Citibus, as per City specifications.

The Purchasing Department issued Invitations to Bid to fifty-one (51) prospective bidders with one (1) bid being submitted. The Purchasing Department publically opened and read the sealed bids on August 8, 2019, at 11:00 am local time. The bid tabulation for the bid is shown below.

Description	Meola Enterprises, LLC
	Gouverneur, NY
Total Bid Price	\$10,980.00
Pricing for additional services to be performed upon request	
Clean and wax tile floors	\$750.00
Wash windows and door glass, etc.	\$75.00
Scrub bathroom tile floors	\$0.00

The Department of Public Works and the Purchasing Department reviewed the response to ensure that they complied with the specifications.

Staff recommends that City Council rescind award to C&T Cleaning Services for Janitorial Services for Citibus by adopting the attached Resolution. City Council awarded the bid to C&T Cleaning Services by Resolution No. 8 adopted on July 1, 2019. C&T Cleaning Services is unable to obtain all of the insurances that are required per the City bid specifications.

Staff additionally recommends that City Council award the bid for the Janitorial Services for Citibus to **Meola Enterprises**, a NYS certified Women Business Enterprise (WBE), for **\$10,980.00** as the lowest responsive responsible bidder. Meola Enterprises was previously awarded the Janitorial Services for Citibus Bid #2016-15 in the amount of \$10,980.00. The Citibus Department is more than satisfied with Meola's services.

If there are any questions concerning this recommendation, please contact me at your convenience.

ACTION: City Manager recommends approval.

A handwritten signature in black ink, appearing to read "R. [unclear]", is written over the end of the "ACTION:" line.

RESOLUTION

Page 1 of 1

Rescinding Award for Bid
Janitorial Services for Citibus,
C&T Cleaning Services

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa L.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Introduced by

WHEREAS by Resolution No. 8 adopted on July 1, 2019, the Watertown City Council awarded a bid for Janitorial Services for Citibus to C&T Cleaning Services, and

WHEREAS C&T Cleaning Services was unable to obtain all of the insurances that are required per the City bid specifications,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown rescinds the award to C&T Cleaning Services for Janitorial Services at the Citibus building.

Seconded by

RESOLUTION

Page 1 of 1

Accepting Bid for Janitorial Services for
Citibus, Meola Enterprises, LLC

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa L.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for Janitorial Services at the Citibus building, per City specifications, and

WHEREAS bid invitations were issued to fifty-one (51) prospective bidders with a total of one (1) sealed bid submitted to the Purchasing Department, and

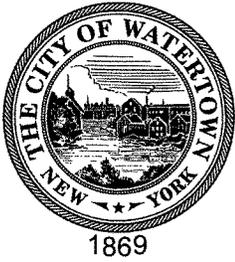
WHEREAS on Thursday, August 8, 2019, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bid received with Superintendent of Public Works Pat Keenan, and it is their recommendation that the City Council accept the bid submitted by Meola Enterprises, LLC,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Meola Enterprises, LLC in the annual amount of \$10,980.00 for Janitorial Services at the Citibus building as the lowest qualified bidder meeting our specifications, for two years through June 30, 2021 with the ability for the City Manager to renew for three additional one-year terms, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to Meola Enterprises, LLC.

Seconded by



CITY OF WATERTOWN, NEW YORK

ROOM 302, CITY HALL
245 WASHINGTON STREET
WATERTOWN, NEW YORK 13601-3380
E-MAIL DMorrow@watertown-ny.gov
Phone (315) 785-7749 Fax (315) 785-7752

Dale Morrow
Purchasing Manager

Res No. 5

MEMORANDUM

TO: Richard M. Finn, City Manager
FROM: Dale Morrow, Purchasing Manager
SUBJECT: Bid 2019-23 – Black River Parkway Commerce Drive Pavement Rehabilitation Project
DATE: 08/9/19

The City's Purchasing Department advertised in the Watertown Daily Times on July 25, 2019, calling for sealed bids for the Black River Parkway Commerce Park Drive Pavement Rehabilitation in Watertown, NY, as per City specifications.

The Purchasing Department issued Invitations to Bid to forty-one (41) prospective bidders with three (3) sealed bids being submitted. The Purchasing Department publically opened and read the sealed bids on August 8, 2019, at 11:30 am local time. The bid tabulation for the bid is shown below.

Description	CFR Paving Inc	E-Z Paving/Sealcoat	Blackhorse
	Canastota, NY	Fulton, NY	Watertown, NY
Total Bid Price	\$294,659.70	\$788,052.00	\$511,716.33

The Engineering Department and the Purchasing Department reviewed the responses to ensure that they complied with the specifications.

Staff recommends that City Council award the bid for the Black River Parkway Commerce Drive Pavement Rehabilitation Project to **CFR Paving Inc., Canastota, NY** for **\$294,659.70** as the lowest responsive responsible bidder. CFR Paving Inc. has done work for the City on prior projects such as Bellew Ave. and Breen Ave. and the City was very satisfied with those projects.

This project will be funded from the Chips Program.

If there are any questions concerning this recommendation, please contact me at your convenience.

ACTION: City Manager recommends approval.

RESOLUTION

Page 1 of 1

Accepting Bid for Black River Parkway Commerce Drive Pavement Rehabilitation, CFR Paving Inc.

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa L.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

WHEREAS the City Purchasing Department has advertised and received sealed bids for Black River Parkway Commerce Drive Pavement Rehabilitation, per City specifications, and

WHEREAS bid invitations were issued to forty-one (41) prospective bidders with a total of three (3) sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, August 8, 2019, at 11:30 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bids received with City Engineer Sean O'Connor and it is their recommendation that the City Council accept the bid submitted by CFR Paving Inc,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of CFR Paving Inc in the annual amount of \$294,659.70 for Black River Parkway Commerce Drive Pavement Rehabilitation as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to CFR Paving Inc.

Seconded by

Res No. 6

August 15, 2019

To: Richard M. Finn, City Manager
From: Michael A. Lumbis, Planning and Community Development Director
Subject: Adopting the Downtown-Riverfront Parks Connection Feasibility Study

In the fall of 2017, the City was awarded \$30,000 from a Strategic Planning and Feasibility Studies grant from the New York State Department of State. The City contracted with Saratoga Associates to conduct a Feasibility Study to identify ways to improve connections for pedestrians and bicyclists from Public Square to two riverfront parks, the Veterans' Memorial Riverwalk and Whitewater Park. The Study included survey work, topography studies, right of way analysis, design schematics, cost estimates and implementation recommendations. The total cost of the study was \$54,975, with 50% paid for with grant funds, and 50% paid for with City dollars as required match for the grant.

The *Downtown-Riverfront Parks Connection Feasibility Study* advances a vision created during the development of the draft *Local Waterfront Revitalization Program (LWRP) for the Black River* (2010). Specifically, the most important priority identified by the community was the desire to develop a pedestrian-oriented connection drawing people to the riverfront from Public Square. This connection was identified in the draft LWRP as an integral component to the waterfront's overall success, and to spur redevelopment within Public Square and along the riverfront. The Study also supports the vision stated on the City of Watertown's website, to be "a vibrant, attractive community of rich recreational, cultural, and economic opportunity that maintains a small town appeal."

An integral part of the Study process was the establishment of a project Advisory Committee to provide input during the completion of the project. The committee consisted of business owners, river users, NYS DEC, Watertown Local Development Corporation, Chamber of Commerce, community members and several members of the City Council. The Committee met four times throughout the process on March 23, 2018, July 31, 2018, February 13, 2019, and May 8, 2019. This group assisted in the development of the concept designs through participation in committee and public meetings, and via email correspondence with the City and consultants. In addition to the meetings, the Committee also reviewed interim project material, providing comments and guidance on designs and documents completed as a result of the consultants' efforts.

In addition to the four Advisory Committee meetings, two public meetings were held to engage the public and identify important issues and opportunities, as well as to solicit input on the preferred schematic design. Input from the public meetings was used along with recommendations from the Advisory Committee to finalize the design and inform the feasibility study.

The *Feasibility Study* was finalized in late June and now should formally be adopted by City Council. Adoption of the plan will demonstrate support for future improvements to connect downtown to the riverfront; and will advance the vision of the LWRP. Adoption of the plan will also help support future grant applications and economic development within Public Square and along the riverfront.

A copy of the final plan can be viewed in the online version of the City Council Agenda Package and on the City's website.

The attached resolution has been drafted for City Council consideration that adopts the *Downtown-Riverfront Parks Connection Feasibility Study*.

ACTION: City Manager recommends that the City Council adopt the study.

A handwritten signature in black ink, appearing to be 'R. M. H.', is written over the end of the 'ACTION' line.

RESOLUTION

Page 1 of 1

Adopting the Downtown-Riverfront Parks Connection Feasibility Study

Introduced by

- Council Member COMPO, Sarah V
- Council Member HENRY-WILKINSON, Ryan J..
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.
- Total

YEA	NAY

WHEREAS in 2017, the City was awarded \$30,000 from a Strategic Planning and Feasibility Studies grant from the New York State Department of State to conduct a Feasibility Study to identify ways to improve connections for pedestrians and bicyclists from Public Square to two of its riverfront parks, the Veterans' Memorial Riverwalk and Whitewater Park, and

WHEREAS, the City contracted with Saratoga Associates to conduct the study, and

WHEREAS the Study included survey work, topography studies, right of way analysis, design schematics, cost estimates and implementation recommendations, and

WHEREAS an Advisory Committee was established and four meetings were held to provide guidance and assist with the development of design concepts, and

WHEREAS in addition to the Advisory Committee meetings, there were 2 public meetings held to engage the public and identify issues and opportunities, and

WHEREAS the Study was finalized in July and the City Council desires to formally endorse the plan, and

NOW THEREFORE BE IT RESOLVED that the City Council hereby adopts the City of Watertown's Downtown-Riverfront Parks Connection Feasibility Study dated June 2019.

Seconded by

Res No. 7

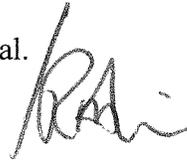
August 9, 2019

To: Richard M. Finn, City Manager
From: Michael A. Lumbis, Planning and Community Development Director
Subject: Finding That Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones Will Not Have a Significant Impact on the Environment

At its July 22, 2019 meeting, the City Council provided positive feedback on assigning a 30-minute parking limit to certain spaces on Public Square. Staff has prepared an Ordinance amending Chapter 293, Article IV of the City Code, which governs time-limited parking zones, to designate previously identified high-value spaces as 30-minute spaces. Ordinance No. 1 on the August 19, 2019 City Council agenda adopts the proposed code as written.

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 Ordinance. The resolution states that the proposed code revisions and additions contained in the Ordinance will not have a significant impact on the environment.

ACTION: City Manager recommends approval.



RESOLUTION

Page 1 of 2

Finding That Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones Will Not Have A Significant Impact on the Environment

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.

YEA	NAY

Total

Introduced by

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance to amend Chapter 293, Article IV of the City Municipal Code, which governs time-limited public parking spaces within the City of Watertown to assign a 30-minute time limit to certain spaces on Public Square, and

WHEREAS the proposed Ordinance would amend Chapter § 293, Article IV, to establish said legislation, 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 proposed Ordinance would constitute such an “Action,” and

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

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

WHEREAS to aid the City Council in its determination as to whether the proposed Ordinance will have a significant impact on the environment, Part I of a Short Environmental Assessment Form has been prepared, a copy of which is attached and made part of this Resolution,

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

RESOLUTION

Page 2 of 2

Finding That Amending City Municipal Code
Chapter § 293, Article IV, Time-Limited Parking Zones
Will Not Have A Significant Impact on the Environment

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

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 ordinance amending Chapter 265 of the City Municipal Code 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 I. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part I 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 I. 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.

Part 1 - Project and Sponsor Information			
Name of Action or Project: Ordinance to amend City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones			
Project Location (describe, and attach a location map): Public Square, City of Watertown, NY 13601			
Brief Description of Proposed Action: The City of Watertown proposes to amend Chapter 293, Article IV of its Municipal Code to assign a 30-minute parking limit to certain parking spaces on Public Square in the City's downtown.			
Name of Applicant or Sponsor: City of Watertown		Telephone: (315) 785-7740 E-Mail: planning@watertown-ny.gov	
Address: 245 Washington 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"/>
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:			YES <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ acres			YES <input type="checkbox"/>
b. Total acreage to be physically disturbed? _____ acres			YES <input type="checkbox"/>
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres			YES <input type="checkbox"/>
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 type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <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 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 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 type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p>		
<p>Applicant/sponsor name: Geoffrey Urda, Planner</p>		<p>Date: <u>8/9/19</u></p>
<p>Signature: <u><i>Geoffrey Urda</i></u></p>		

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: 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)

Ordinance to amend City Municipal Code § 293, Article IV, Time-Limited Parking Zones

- **SEQR EAF Part 1 Attachments:**
 - **Narrative Description of Proposed Action**
 - **Location Map**

On the State Environmental Quality Review (SEQR) Short Environmental Assessment Form (EAF), the instructions for Question 1 direct that if the proposed action only involves the legislative adoption of a plan, local law, ordinance, administrative rule or regulation, the sponsor must attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality. This memorandum to file is intended to fulfill that function.

The intent of the proposed action is to effect more consistent turnover of high-value parking spaces on Public Square to help facilitate commerce in Downtown Watertown. The proposed City Code assigns a 30-minute limit to certain parking spaces on Public Square.

Res No. 8

August 12, 2019

To: Richard M. Finn, City Manager
From: James E. Mills, City Comptroller
Subject: Re-adoption of the Fiscal Years 2019-20 through 2023-24 Capital Projects Fund Budget

The following resolution was prepared to re-adopt the Fiscal Years 2019-20 through 2023-24 Capital Projects Fund Budget in order to add the proposed City Hall parking lot expansion project at an estimated cost of \$500,000.

ACTION: City Manager recommends approval.

A handwritten signature in black ink, appearing to read "R. Finn", is written over the text "City Manager recommends approval."

RESOLUTION

Page 1 of 1

Readopting Fiscal Years
2019-20 through 2023-24
Capital Budget

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa L.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Introduced by

WHEREAS on May 29, 2019 the City Council adopted the Fiscal Years 2019-20 through 2023-24 Capital Budget, and

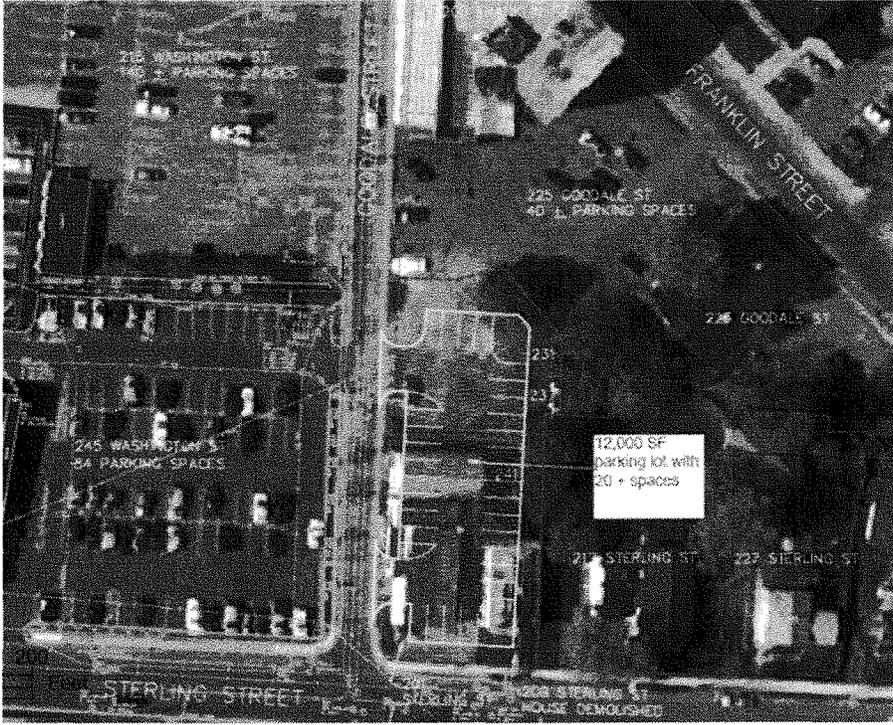
WHEREAS the Adopted Fiscal Year 2019-20 through 2023-24 Capital Fund Budget did not contain a project to expand the City Hall parking lot,

WHEREAS City staff is recommending adding the City Hall parking lot expansion project at an estimated cost of \$500,000 and,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby amends the Fiscal Years 2019-20 through 2023-24 Capital Budget to add the City Hall parking lot expansion project at an estimated cost of \$500,000 to the FY 2019-20 Capital Budget.

Seconded by

FISCAL YEAR 2019-2020
 CAPITAL BUDGET
 FACILITY IMPROVEMENTS
 CITY HALL PARKING LOT EXPANSION

PROJECT DESCRIPTION	COST
<p>City Hall Parking Lot Expansion</p> <p>The City Hall parking lot will be expanded due to the City Court Expansion project, which will add more staff as well as visitors to the Municipal Building as a result of the second full time judge and additional court functions NYS is mandating be performed at this court facility. The expansion includes acquisition of (5) five vacant parcels, located at the corner of Sterling St. and Goodale St., from North Country Apartments, LLC. It also includes construction of a 25 space parking lot with lighting and drainage improvements.</p> <p>Property Acquisition \$209,720 Parking Lot Construction and Incidentals \$290,280</p> 	<p>\$500,000</p>
TOTAL	\$500,000

Funding to support this project will be through the issuance of a 10 year serial bond with projected FY 2020-21 debt service of \$58,583.

Res No. 9

August 13, 2019

To: Richard M. Finn, City Manager
From: James E. Mills, City Comptroller
Subject: Sale of Real Property - 302 High Street

The City has received the attached purchase offer from Thomas and Linda Chiarely for 302 High Street. The City acquired the parcel from Thomas and Linda Chiarely in June 2019 as a result of its tax sale certificate process. The amount of the offer is the tax sale certificate redemption amount (\$4,455.51) plus two months additional interest and the amount of Fiscal Year 2019/20 City tax plus the applicable late penalty and interest.



ACTION: City Manager recommends approval.

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 302 High Street,
to Thomas and Linda Chiarelly,
302 High Street,
Watertown, New York 13601

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa L.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

BE IT FURTHER RESOLVED that the Mayor, Joseph M. Butler Jr. be and he hereby is authorized, empowered and directed to execute and deliver a Quit Claim Deed of said real property to Thomas and Linda Chiarelly upon receipt of the above mentioned sum of money in cash only by the City Comptroller, and

BE IT FURTHER RESOLVED that the Quit Claim Deed shall not be issued unless and until all outstanding property taxes owed by the putative purchaser on all parcels owned by said purchaser within the City shall have been satisfactorily paid to the City Comptroller.

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

Seconded by

Thomas and Linda Chiarelly
302 High Street
Watertown , N.Y. 13601
(315) 489-4885

Mayor Joseph M. Butler, Jr.
Members of the Watertown City Council
James E. Mills , City Comptroller
RE: Formal Purchase Offer

I , Thomas Chiarelly and Linda Chiarelly would like to submit a Formal Purchase Offer for Parcel No.6-06-122 , also known as 302 High Street , Watertown , N.Y. 13601. This offer would be the sum of \$4,455.51 plus the interest of one percent per month that this property will accrue starting from the date of June 21,2019 until the date of closing on said property. We will also pay the sum of \$554.26 plus interest of one percent per month for the City of Watertown Property Tax due in August of 2019 from its due date until the date of closing on the property stated above.

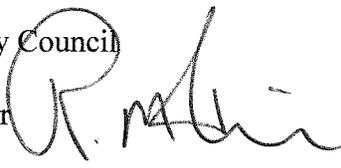
We make this offer to the City of Watertown and its Representatives openly and freely on this date of July 18, 2019, knowing that the Watertown City Council must first consider, and then conduct a formal vote in order to accept this offer.

We, Thomas and Linda Chiarelly respectfully request the City of Watertown and its Council Members to consider and accept this offer knowing that all property taxes hereafter will be kept current and up to date and paid when due. THANK YOU.

Sincerely Yours,
Thomas and Linda Chiarelly

Thomas Chiarelly
Linda Chiarelly

August 12, 2019

To: The Honorable Mayor and City Council
From: Richard M. Finn, City Manager 
Subject: Bids for Thompson Park Swimming Pool and Bathhouse

During the most recent City Council Meeting held on Monday, August 5, 2019, the City Council voted 3-2 not to accept the City Manager's recommendation to reject all Swimming Pool/Bathhouse Bids. A follow up motion was made to proceed to award the Swimming Pool/Bathhouse bids to the respective lowest bidders. Four resolutions were introduced and then each resolution was subsequently Tabled. Subsequent to the August 5 Council Meeting, the City Council met on Monday, August 12, in a Work Session to discuss/review the Swimming Pool project. The focus of the Work Session was to review the fiscal implications of proceeding with the project and to determine if a majority of the City Council agreed to pursue the project.

During the Work Session, the following information was presented for discussion:

1. If the Swimming Pool Project proceeds, the City will not be able to use the existing Bond Ordinance to fund any portion of the project. The City Bond Counsel has advised the City Comptroller that because the scope of the project changed (renovation vs. new construction) and the total cost and financing plan are also changed, an amended Bond Ordinance would be required.
2. The total estimated cost of the Pool/Bathhouse Project is \$3,100,000. Allowing for the State grant that the City previously received for this project, the City needs to identify how to finance \$2.9 million.
3. No action was taken during the Work Session, although three Council Members indicated that they supported moving forward with the project.

Based on the above, the City Staff has included in the Council Agenda the four resolutions that were Tabled during the August 5, 2019 City Council Meeting. However, before these four resolutions can be removed from the Table and acted upon, the City Council must formally identify the funding source that will be used to pay for the Swimming Pool/Bathhouse project. There are two alternatives with which Council may proceed:

First: As noted above, approve an amended Bond Ordinance in the amount of \$2,900,000 to fund the entire project. This would require a minimum of four Council affirmative votes.

Second: Approve an amended Bond Ordinance in the amount of \$2,200,000 and a resolution amending the FY 2019-20 Budget to allocate \$700,000 of Fund Balance to the Swimming Pool Project.

Third: Approve the attached resolutions which would amend the approved FY 2019-20 General Fund Budget. The resolution would reduce the City's Fund Balance by \$2,900,000 and place these funds into a new Swimming Pool/Bathhouse Capital Project account. Such action would require a majority vote of the Council (three or more votes). Any future change orders related to the project would also be funded with the Fund Balance.

Since no specific direction was provided to Staff, we have taken the liberty to prepare the following:

1. An amended Bond Ordinance that would fund the original amount of the Swimming Pool project in the amount of \$2,200,000. This would then require the use of \$700,000 of the Fund Balance, which would require a resolution amending the approved FY 2019-20 Budget.
2. An amended Bond Ordinance that would fund the entire Pool Project at a cost of \$2,900,000.
3. A resolution that would amend the approved General Fund Budget to fund the Pool Project in the total amount of the project cost (\$2,900,000).

If the City Council makes a decision to proceed with the Pool Project by approving one of the above financial options, then the following action will be required:

1. Remove the four Tabled resolutions from the Table and approve each respective resolution. This will approve the four respective Pool Project bids, which will move the project forward.

Final thoughts and conclusion:

Attached is the memo dated August 12, 2019 that was presented to you during our most recent Council Work Session. It is provided to assist you as you review the potential consequences and financial options that are available to fund the project.

As stated in the attached report, if the Council approves the Swimming Pool Project and uses the City's Fund Balance to fund the entire \$2,900,000 project, it will significantly affect the City's ability to finance future Capital Projects already identified in the Five-Year Capital Project Plan. Furthermore, such action will affect

future City General Fund Budgets since such a significant reduction in the Fund Balance will adversely affect the City's ability to use the Fund Balance to assist in balancing future City budgets if/when it may be necessary.

Finally, if the Fund Balance is reduced by \$2,900,000, there is no doubt that based on my professional experience that the City's financial rating will be downgraded by Moody's prior to the City going out to issue any more debt. The City Comptroller noted that if this downgrade occurs, the City will see a total increase in debt interest cost of approximately \$300,000 (during the life of the respective new Bonds) if the City proceeds with the approved Five-Year Capital Project Plan.

Again, as previously stated, it is my recommendation that all Pool/Bathhouse bids be rejected. This is based on the fact that our pool consultant reported that the bids received by the City are a minimum of 25 % higher than what is supported by the marketplace. This means that if the bids are awarded, the City could be paying far more for the project than what is justified.

The City could re-bid this project and present the new bids prior to the end of the calendar year.

August 12, 2019

To: The Honorable Mayor and City Council
From: Richard M. Finn, City Manager 
Subject: Thompson Park Pool and Bathhouse Project

Subsequent to the Monday, August 5 Council Meeting, my Staff and I went back and closely reviewed the Thompson Park Pool and Bathhouse Project. There is no doubt in my mind that a new user friendly swimming pool in Thompson Park would be an asset to the City, and it would strengthen our ability to market our Park as a major regional facility. However, during the past week, Staff has focused on the cost of the proposed pool facility and the City's current ability to finance the project.

Findings: The recent bids submitted for the Pool and Bathhouse Project have come in at a projected total cost of \$3,100,000. This cost exceeds the approved \$2.4 million bond authorization by \$700,000.

City's Ability to Repay Projected Debt Service

<u>Project</u>	<u>Projected Total Debt Service</u>	<u># Years of Debt Service</u>	<u>Annual Payout</u>
Pool (Option 1)*	\$2,900,000	10 (preferred) 20 (maximum)	\$384,250 \$239,250
Pool (Option 2)**	\$2,200,000	10 (preferred) 20 (maximum)	\$291,500 \$181,500

*Adopt new Bond Ordinance for \$3,100,000 – less \$200,000 for State Grant

** (Original Bond Amount with use of \$700,000 Fund Balance – Not Recommended)

In reviewing the City's existing General Fund annual debt service in the FY 2020/21, the City's current debt service payment is \$2,732,684 (principal and interest payments).

The following debt services have been approved in the City's FY 2020/21 five year Capital Projects plan.

<u>Approved Debt Service Projects</u>	<u>Projected Project Cost</u>	<u># of Years Debt Service</u>	<u>Additional Annual Payout Principal/Interest</u>
City Court (State mandated)	\$3,150,000	15	\$312,375
City Hall Parking Lot Expansion	\$500,000	10	\$66,250
Massey St/Coffeen St/ Court St Bridge	\$3,100,000	15	\$307,417
Mill St Bridge	\$90,000	15	\$8,925
Pearl St Bridge	\$500,000	15	\$49,583
Hydro-electric Facility Improvements	\$100,000	10	\$13,250
Cooper St Outfall	\$275,000	15	\$27,271
Demolitions: Various non City-owned Structures	\$750,000	5	\$174,375
DPW Sewer Vacuum Truck	\$195,000	10	\$25,838
Fire Ladder Truck (Rehab)	\$220,000	10	\$29,150
City Hall – Air Handlers For Court	\$175,000	10	\$23,188
City Hall – Air Handlers For City Offices	<u>\$175,000</u>	10	<u>\$23,188</u>
Total	<u>\$9,230,000</u>		<u>\$1,060,810</u>

If the City proceeds to authorize the projects as illustrated above, the City's annual bond payment will increase by an estimated \$1,060,810. If the pool project proceeds, this annual cost number will increase somewhere between \$200,000 and \$400,000. This will increase the City's annual debt payment between \$1,360,810 and

\$1,460,810, depending on which option the City decides to finance the new pool. This new annual debt service payment will have to be funded with new revenue. The City does have the debt service capacity to fund the above projects, but there is no additional revenue available to fund the annual debt payments required by the projected new debt.

Review and Comments:

If the City proceeds with the pool project, the City will have to identify a new revenue source in the amount of somewhere between \$384,250 or \$181,500, depending on which option the Council selects. The only revenue source that the Council has control over is the property tax. To fund the new pool, it will require the Council to approve by a 4/5 majority a local law to exceed the NYS property tax cap property tax increase of between 1.91% and 4.04%.

Such an increase above the State imposed cap would increase the property taxes for the average house with an assessed property value of \$107,735 between \$18.07 or \$38.23 per year, depending on the length of the bond and rate received. It is noted that if the property taxes were approved by the percentage identified above, the City's residential properties would pay for approximately 58% of the annual debt service expense. The City's commercial and industrial properties would pay approximately 42% of the annual debt service expense.

Conclusions and Recommendation:

If the City Council decides to proceed with the construction of the pool and bathhouse, the following is recommended:

1. Authorize the rejection of all bids received for the pool project and direct Staff to work with the consultant to re-bid the project. This recommendation is based on expert advice provided by our pool consultant that the project bids are approximately 25% higher than what they should be based on established market values. Re-bidding will allow the City to work out any revisions needed through the Department of Health.
2. Working closely with Staff, identify how the bond that would be used for the pool project would be funded. As identified above, a new source of revenue will be required to fund the project. If new revenues are not identified and secured, the City will be forced to make major funding expenses in the existing budget thereby freeing up funds to make the new pool bond payments.

The reality is that two years ago, the City relied on the use of \$2 million of fund balance to balance the FY 2018-19 General Fund balance. The current fiscal year (2019-20) relied on the use of \$500,000 from the fund balance to obtain a General Fund that was balanced.

The City's overall growth of new revenues will not fund the increase in debt service payments caused by the new pool project. If this project is to move forward, Council should identify the funding source that will be used to pay the new annual debt service incurred by the pool.

3. Council should also be aware that if we proceed with the pool project, the City will be required to include in the annual budget approximately \$99,000. This will also require new revenue, which would be approximately equivalent to a 1% increase in property tax.

Res No. 10

August 13, 2019

To: Richard M. Finn, City Manager
From: James E. Mills, City Comptroller
Subject: Fiscal Year 2019-20 General Fund Budget Re-adoption

If the majority of City Council wants to fund the Thompson Park Pool and Bathhouse project with General Fund fund balance, it needs to re-adopt the Fiscal Year 2019-20 General Fund Budget.

The Government Finance Officers Association cites the following factors, amongst others, that a governing body should consider when adopting a fund balance policy. The factors are relevant to City Council's contemplation of using such a large portion of the City's General Fund fund balance.

- 1. The predictability of its revenues and the volatility of its expenditures (i.e., higher levels of unrestricted fund balance may be needed if significant revenue sources are subject to unpredictable fluctuations or if operating expenditures are highly volatile);*
- 2. Its perceived exposure to significant one-time outlays (e.g., disasters, immediate capital needs, state budget cuts);*
- 3. The potential impact on the entity's bond ratings and the corresponding increased cost of borrowed funds;*

Another issue to consider when discussing the appropriate level of fund balance is the City's cash flow. Being on a July 1st – June 30th fiscal year creates timing issues of when the City receives some of its revenues versus when it pays its expenses. The City does not receive \$4,619,756 of the \$4,703,208 State AIM budget until June 20th or later of each fiscal year. Additionally, two months of the budgeted sales tax totaling approximately \$3.4M are received on June 15th and July 15th. By June 15th of every year the City has made all of its bond payments and paid all but one or two payrolls. Therefore, if the City does not start each fiscal year with approximately \$8M in fund balance, it will likely have to start borrowing towards the end of every fiscal year against its own future revenues to have the funds necessary to pay its bills and this will in turn create an annual interest expense that would need to be budgeted every year going forward until an adequate level of fund balance was restored to negate this borrowing.

On March 12th Moody's Investor Service issued a negative outlook on the City's Aa3 bond rating due to the "*recently weakened financial reserves that provide stability due to volatile revenue sources*". Moody's stated that one factor that could lead to a rating downgrade is a "*significant decline in fund balance*". Our fiscal advisor estimates that it would be a minimum of three - four years before Moody's would consider restoring our bond rating and that would only occur if we returned to a healthier fund balance.

The City's fiscal advisor for our debt issues estimates that a ratings downgrade would increase the City's borrowing rate by 15 basis points and raise our interest rates from 3.00% to 3.15%, for example. For debt that the City is expected to issue in the spring of 2020, that would raise the debt service costs for Fiscal Year 2020/21 by approximately \$18,000 due to borrowing at higher interest rates. The total debt service for projects identified as debt financed in the Fiscal Year 2019/20 five year capital plan would increase by approximately \$311,000.

RESOLUTION

Page 1 of 1

Re-Adopt Fiscal Year 2019-20
General Fund Budget

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa L.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Introduced by

WHEREAS on May 29, 2019 the City Council passed a resolution adopting the Budget for Fiscal Year 2019-20, of which \$44,148,031 was appropriated for the General Fund, and

WHEREAS City Council has received the bids for the Thompson Park Pool and Bathhouse project, and

WHEREAS City Council has decided to fund the project with General Fund fund balance,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby re-adopts the General Fund Budget for Fiscal Year 2019-20 to fund the Thompson Park Pool and Bathhouse project with General Fund fund balance, and

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

<u>Appropriated Fund Balance</u>	
A.0000.0909 Fund Balance	<u>\$ 2,900,000</u>
Total Appropriated	<u>\$ 2,900,000</u>
 <u>Expenditures</u>	
A.9950.0900 Transfer to Capital Fund	<u>\$ 2,900,000</u>
Total Expenditures	<u>\$ 2,900,000</u>

Seconded by

Res No. 11

August 13, 2019

To: The Honorable Mayor and City Council
From: Richard M. Finn, City Manager 
Subject: Amendment No. 121 to the Management and
Management Confidential Pay Plan

With the departure of City Engineer Justin L. Wood, Thomas Maurer will serve as City Engineer until such time as a new City Engineer is appointed.

The attached resolution provides for Amendment No. 121 to the Management and Management Confidential Pay Plan establishes the salary for the position of City Engineer to \$83,048 at this time.

RESOLUTION

Page 1 of 1

Amendment No. 121 to the Management
And Management Confidential Pay Plan

Council Member COMPO, Sarah V.

Council Member HENRY-WILKINSON, Ryan J.

Council Member HORBACZ, Cody J.

Council Member RUGGIERO, Lisa A.

Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 121 to the Management and Management Confidential Pay Plan for the position listed below. With the departure of, Justin L. Wood, Thomas Maurer will serve as City Engineer effective August 26, 2019 until such time as a new City Engineer is appointed.

Position

Salary

City Engineer

\$83,048

Seconded by

Ord No. 1

August 9, 2019

To: Richard M. Finn, City Manager
From: Michael A. Lumbis, Planning and Community Development Director
Subject: Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones

On May 16, 2019, the City of Watertown received a letter from six (6) undersigned downtown business owners requesting that the City establish four (4) 15-minute parking spaces on the south side of Public Square. Planning and Engineering Staff subsequently studied the possibility of converting some of the high-value parking spaces on Public Square to short-term parking to facilitate higher and more efficient customer turnover.

At the July 22, 2019 Council Work Session, Staff presented its conclusions and recommended converting eleven (11) high-value spaces in four (4) distinct locations around Public Square to 30-minute parking. The attached map depicts in orange the spaces that Staff proposed to convert to 30-minute parking. Prior to the Work Session, Staff also visited various downtown businesses, including each of the undersigned businesses on the original letter, and most of them provided positive feedback on the proposal.

Council largely supported this initiative at the Work Session and directed Staff to speak to an additional particular business owner regarding that owner's opinion on 15 vs. 30-minute spaces. That business owner supported the 30-minute initiative.

Staff is now advancing the 30-minute parking proposal for formal Council consideration. The attached ordinance approves amendments to Chapter 293, Article IV, which governs time-limited parking zones.

The Council must consider and adopt the corresponding SEQRA resolution prior to voting on this ordinance.

ACTION: City Manager recommends approval.



ORDINANCE

Page 1 of 5

Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown received a letter dated May 16, 2019 from six undersigned downtown business owners requesting short-term parking on Public Square, and

WHEREAS the City recognizes the value of short-term parking in facilitating daytime commerce in a downtown environment, and

WHEREAS the City seeks to establish 30-minute parking limits for certain high-value spaces on Public Square.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Watertown that **Chapter § 293, Article III** of the City Code of the City of Watertown shall be amended to read as follows:

Article III. Parking, Standing and Stopping

§ 293-29. Restricted time limit parking.

No person shall park a vehicle for longer than the restricted time limit shown in Schedule XIX (§ 293-67) at any time between the hours listed in said Schedule XIX of any day, unless otherwise indicated, upon any of the streets or parts of streets or public parking lots described in said Schedule XIX, attached to and made a part of this chapter. In addition to the time-restricted areas contained in § 293-67, certain areas of the City are limited to two-hour parking or 30-minute parking. These areas are defined in Article IV, 293-37(a), Two-hour parking zones and 293-37(b), 30-minute parking zones on Public Square.

BE IT FURTHER ORDAINED by the City Council of the City of Watertown that **Chapter § 293, Article IV** of the City Code of the City of Watertown shall be amended to read as follows:

ORDINANCE

Page 2 of 5

Amending City Municipal Code Chapter § 293,
Article IV, Time-Limited Parking Zones

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Article IV. Time-Limited Parking Zones

§ 293-35. Definitions.

As used in this article, the following terms shall have the meanings indicated:

TIME-LIMITED PARKING ZONES

That street or portion thereof or lot or portion thereof or garage or portion thereof upon which parking is governed by the provisions of this article and the parking spaces associated with said areas.

PARKING SPACE

The space in a time-limited parking zone marked by painted lines on the curb or roadway or lot or garage, wherein an individual vehicle may park in accordance with the provisions of this article.

§ 293-36. Permitted parking time.

The hours during which the time-limited parking restrictions apply are between 8:00 a.m. and 6:00 p.m.

§ 293-37(a). Two-hour parking limit zones designated.

The following streets or portions thereof, parking lots or portions thereof and parking garages or portions thereof are hereby designated and established as two-hour parking limit zones:

Street or Lot	Two-Hour Parking Limit Zone
Arcade Street	West side from Arsenal Street to a point 245 feet south thereof
Arsenal Street	North side from Arcade Street Extension west to Crosswalk No. 5
Arsenal Street	South side of street between Arcade Street and Sherman Street
Court Street	North side of street from Public Square to Coffeen Street and entire street from Coffeen Street to Court Street Bridge
Franklin Street	Southwesterly side from Public Square to a point 156 feet northeasterly of Goodale Street
Public Square	Entire street (except those spaces that are designated with a 30-minute parking limit, as posted by the City, per 293-37(b))

ORDINANCE

Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

State Street North side from Mechanic Street to High Street
 State Street North side from a point 120 feet east of Public Square to a point 40 feet west of Polk Street
 [Added 11-19-2007]
 State Street
 [Repealed 11-19-2007]
 State Street
 [Repealed 11-19-2007]
 State Street Parking Lots, 200 Block Front row of parking lot facing State Street
 [Added 5-19-2008]
 Stone Street Northerly side from Arcade Street to a point 30 feet from Sherman Street, except an area of 244 feet extending westerly of the westerly margin of Park Place
 Washington Street Entire street from Public Square to Academy Street and Mullin Street

§ 293-37(b). 30-minute parking limit zones designated.

The following streets or portions thereof, parking lots or portions thereof and parking garages or portions thereof are hereby designated and established as 30 minute parking limit zones:

Street or Lot	30-Minute Parking Zone
Public Square	Any space that the City posts or marks as a 30-minute time-limited space

§ 293-38. Establishment and marking of parking spaces.

The Council shall establish, designate and mark individual parking spaces in each time-limited parking limit zone. Each parking space shall be marked by painted lines drawn on the surface of the curb or roadway or lot.

§ 293-39. Stone Street Lot Times and Restrictions.

A. Parking shall be permitted in any parking space between the hours of 8:00 a.m. and 6:00 p.m. in all parking spaces and in the area known as the "Stone Street Lot," where parking shall be from 6:00 a.m. to 2:00 a.m. of the following day, and the Arsenal Street Lot, where parking shall be permitted 24 hours per day. The provisions of this section shall not apply on Saturday or Sunday nor on legal holidays.

B. Only one vehicle may occupy a parking space at a time.

ORDINANCE

Page 4 of 5

Amending City Municipal Code Chapter § 293, Article IV, Time-Limited Parking Zones

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

C. Six parking spaces located in the Stone Street Parking Lot in the southeast corner, first row behind the historical building and adjacent to the walkway to the same are hereby limited to use by residents of Bugbee Housing Development only. Unauthorized vehicles without permits will be towed at the owner's expense. This restriction is in effect seven days per week, 24 hours per day.

§ 293-40. (Reserved).

§ 293-41. (Reserved).

§ 293-42. Manner of parking.

In all parking spaces, vehicles shall be parked completely within the white or yellow lines marking the same.

§ 293-43. Payment of violations.

A. Every owner found in violation of the following offenses shall be imposed a fine and, if applicable, late payment penalties, as established by the City Council of the City of Watertown at least annually through a budget resolution that adopts a City Fees and Charges Schedule in the amounts available. Such schedule shall be available to the public at the office of the Watertown City Clerk.

B. The following constitute violations of provisions of the Watertown City Code for which City-imposed fines may be imposed:

- (1) Abandoned vehicle (**§ 169-19B**).
- (2) Night parking (**§ 293-21C**).
- (3) Margin parking (**§ 293-21D**).
- (4) No parking here to corner (**§ 293-21F**).
- (5) Parking in handicap zone without registration (**§ 293-22**).
- (6) No parking anytime (**§ 293-23**).
- (7) No stopping/standing (**§ 293-24/25**).

ORDINANCE

Page 5 of 5

Amending City Municipal Code Chapter § 293,
Article IV, Time-Limited Parking Zones

Council Member COMPO, Sarah V.

Council Member HENRY-WILKINSON, Ryan J.

Council Member HORBACZ, Cody J.

Council Member RUGGIERO, Lisa A.

Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

(8) Obstructing traffic (§ 293-25).

(9) Restricted parking (§ 293-26/30/32).

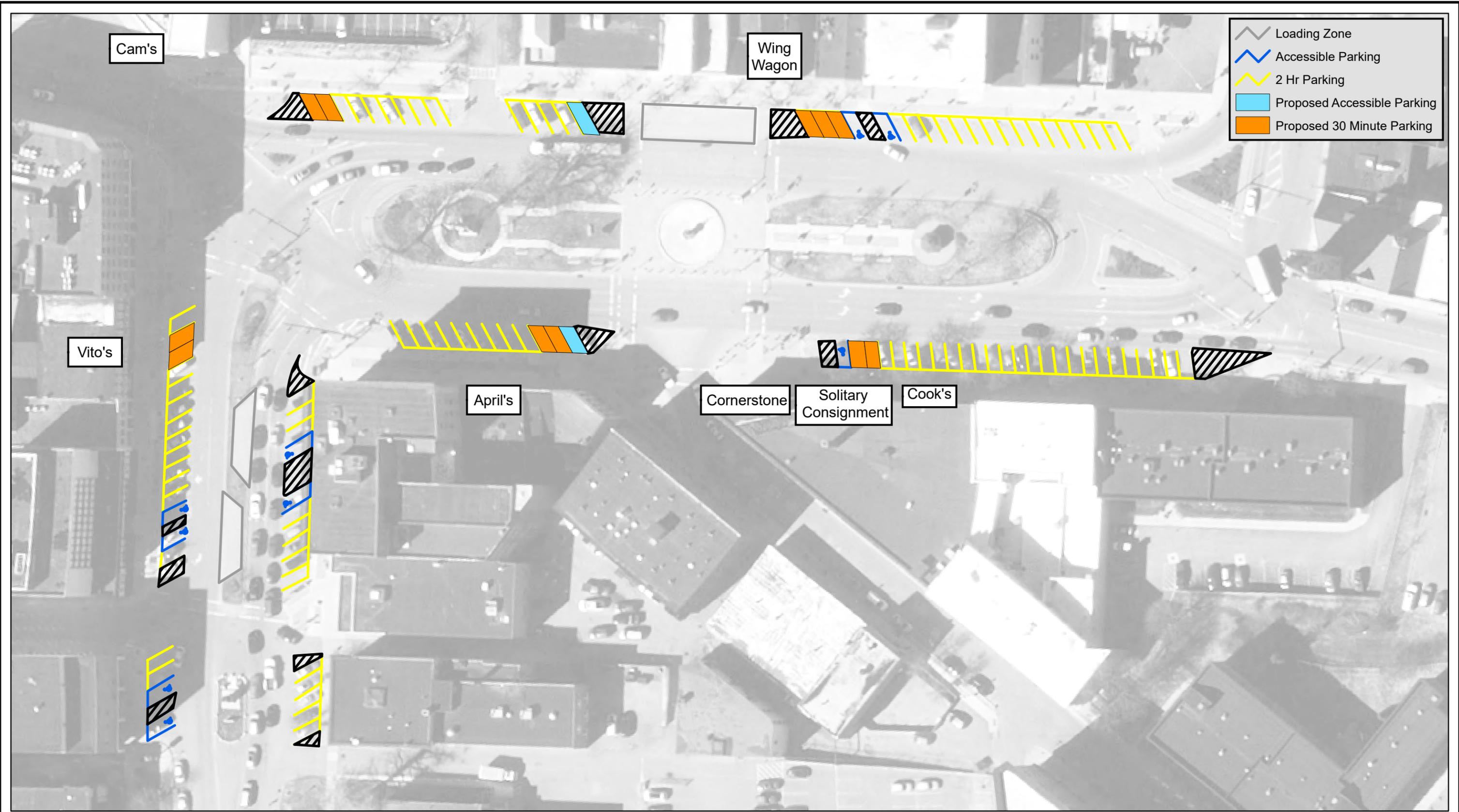
(10) Overtime parking (§ 293-29).

(11) Restricted time (§ 293-29).

(12) Loading zone (§ 293-32).

(13) Taxi/bus zone (§ 293-33/34).

Seconded by



Revision	Description of Revision	Date	By

Public Square Parking

 CITY OF WATERTOWN, NEW YORK
 GIS DEPARTMENT
 ROOM 305B, MUNICIPAL BUILDING
 245 WASHINGTON STREET
 WATERTOWN, NEW YORK 13601
 TEL: (315) 785-7793 EMAIL: gis@watertown-ny.gov



Public Square Parking

Requested By: G.Urda
 Drawn By: V.Brink
 Date: 7/22/2019
 Scale: 1 inch = 60 feet

Ord No. 2

August 12, 2019

To: Richard M. Finn, City Manager
From: James E. Mills, City Comptroller
Subject: Bond Ordinance – City Hall Parking Lot Expansion

Included in tonight's agenda was a resolution to re-adopt the Fiscal Year 2019-20 Capital Budget to add the City Hall parking lot expansion project at an estimated cost of \$500,000. If the resolution was approved, City Council needs to consider the bond ordinance to finance the project.

ACTION: City Manager recommends approval.

A handwritten signature in black ink, appearing to read 'R. Finn', is written over the text 'City Manager recommends approval.'

ORDINANCE

Page 1 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
Council Member HENRY-WILKINSON, Ryan J.
Council Member HORBACZ, Cody J.
Council Member RUGGIERO, Lisa A.
Mayor BUTLER, Jr., Joseph M.
Total

Table with 2 columns: YEA, NAY. Multiple empty rows for recording votes.

Introduced by

At a regular meeting of the Council of the City of Watertown, Jefferson County, New York, held at the Municipal Building, in Watertown, New York, in said City, on August 19, 2019, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND ORDINANCE DATED AUGUST 19, 2019.

WHEREAS, all conditions precedent to the financing of the capital purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act to the extent required, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE,

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

ORDINANCE

Page 2 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Section 1. For the class of objects or purposes of paying the cost of the acquisition of land and construction of parking area thereon proximate to City Hall, in and for the City of Watertown, Jefferson County, New York, including incidental storm sewer improvements and other incidental expenses in connection therewith, there are hereby authorized to be issued \$500,000 bonds of said City pursuant to the provisions of the Local Finance Law.

Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$500,000 and that the plan for the financing thereof is by the issuance of the \$500,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided however, that the amount of bonds to be issued shall be reduced by the amount of any grant funds received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is ten years, pursuant to subdivision ninety of paragraph a of Section 11.00 of the Local Finance Law, as each component thereof can be assigned a period of probable usefulness of at least ten years under subdivisions twenty or twenty-one of said paragraph a.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the City Comptroller, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said City Comptroller, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said City of Watertown, Jefferson County, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

ORDINANCE

Page 3 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Section 6. Such bonds shall be in fully registered form and shall be signed in the name of the City of Watertown, Jefferson County, New York, by the manual or facsimile signature of the City Comptroller and a facsimile of its corporate seal shall be imprinted thereon and may be attested by the manual or facsimile signature of the City Clerk.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the City Comptroller, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the City, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the City Comptroller shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the City Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said City Comptroller consistent with the provisions of the Local Finance Law.

Section 9. The City Comptroller is hereby further authorized, at his or her sole discretion, to execute a project financing agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the class of objects or purposes described in Section 1 hereof, or a portion thereof, by a bond, and, or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The intent of this resolution is to give the City Comptroller sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid bonds and, or notes, without resorting to further action of the City Comptroller.

ORDINANCE

Page 4 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

Section 11. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of its City Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the City), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues, shall be determined by the City Comptroller. It is hereby determined that it is to the financial advantage of the City not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the City Comptroller shall determine.

Section 12. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 13. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

ORDINANCE

Page 5 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
Council Member HENRY-WILKINSON, Ryan J.
Council Member HORBACZ, Cody J.
Council Member RUGGIERO, Lisa A.
Mayor BUTLER, Jr., Joseph M.
Total

Table with 2 columns: YEA, NAY. It is currently empty.

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

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

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

_____ VOTING _____

The ordinance was thereupon declared duly adopted.

* * *

APPROVED BY THE MAYOR

_____, 2019.

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

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

That I have compared the annexed extract of the minutes of the meeting of the Council of said City, including the ordinance contained therein, held on August 19, 2019, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

ORDINANCE

Page 6 of 6

An Ordinance Authorizing the Issuance of \$500,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Acquisition of Land and Construction of Parking Area Thereon Proximate to City Hall, in and for Said City

Council Member COMPO, Sarah V.
Council Member HENRY-WILKINSON, Ryan J.
Council Member HORBACZ, Cody J.
Council Member RUGGIERO, Lisa A.
Mayor BUTLER, Jr., Joseph M.
Total

Table with 2 columns: YEA, NAY. It contains 6 rows for tallying votes.

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

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

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

Newspaper and/or other news media Date given

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

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

Designated Location(s) of Posted Notices Date of Posting

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City on August _____, 2019.

City Clerk
(CORPORATE SEAL)

Seconded by

Ord No. 3

August 13, 2019

To: Richard M. Finn, City Manager
From: James E. Mills, City Comptroller
Subject: Bond Ordinance – Thompson Park Pool and Bath House

If City Council wishes to proceed with the Thompson Park Pool and Bathhouse and fund part of the cost with debt, it must approve an amended bond ordinance. This amended ordinance may not be required depending on the results of an earlier resolution to fund the project completely out of fund balance.

General Construction - Con Tech		
Base bid	\$ 2,130,631	
Alternate #1	<u>8,009</u>	\$ 2,138,640
Heating & Ventilation- Hyde-Stone		
Base bid	84,240	
Alternate #1	<u>18,506</u>	102,746
Plumbing – Tmachinical		151,000
Electrical - Ridley Electrical		149,800
Design - C&S Engineers and other miscellaneous costs		244,750
Construction Inspection (estimate)		157,000
Demolition – D.E.W. Builders and other miscellaneous costs		124,772
Bonding fees and contingency		<u>31,292</u>
Total		<u>\$ 3,100,000</u>

August 12, 2019

To: The Honorable Mayor and City Council
From: Richard M. Finn, City Manager
Subject: Bids for Thompson Park Swimming Pool and Bathhouse

During the most recent City Council Meeting held on Monday, August 5, 2019, the City Council voted 3-2 not to accept the City Manager's recommendation to reject all Swimming Pool/Bathhouse Bids. A follow up motion was made to proceed to award the Swimming Pool/Bathhouse bids to the respective lowest bidders. Four resolutions were introduced and then each resolution was subsequently Tabled. Subsequent to the August 5 Council Meeting, the City Council met on Monday, August 12, in a Work Session to discuss/review the Swimming Pool project. The focus of the Work Session was to review the fiscal implications of proceeding with the project and to determine if a majority of the City Council agreed to pursue the project.

During the Work Session, the following information was presented for discussion:

1. If the Swimming Pool Project proceeds, the City will not be able to use the existing Bond Ordinance to fund any portion of the project. The City Bond Counsel has advised the City Comptroller that because the scope of the project changed (renovation vs. new construction) and the total cost and financing plan are also changed, an amended Bond Ordinance would be required.
2. The total estimated cost of the Pool/Bathhouse Project is \$3,100,000. Allowing for the State grant that the City previously received for this project, the City needs to identify how to finance \$2.9 million.
3. No action was taken during the Work Session, although three Council Members indicated that they supported moving forward with the project.

Based on the above, the City Staff has included in the Council Agenda the four resolutions that were Tabled during the August 5, 2019 City Council Meeting. However, before these four resolutions can be removed from the Table and acted upon, the City Council must formally identify the funding source that will be used to pay for the Swimming Pool/Bathhouse project. There are two alternatives with which Council may proceed:

First: As noted above, approve an amended Bond Ordinance in the amount of \$2,900,000 to fund the entire project. This would require a minimum of four Council affirmative votes.

Second: Approve an amended Bond Ordinance in the amount of \$2,200,000 and a resolution amending the FY 2019-20 Budget to allocate \$700,000 of Fund Balance to the Swimming Pool Project.

Third: Approve the attached resolutions which would amend the approved FY 2019-20 General Fund Budget. The resolution would reduce the City's Fund Balance by \$2,900,000 and place these funds into a new Swimming Pool/Bathhouse Capital Project account. Such action would require a majority vote of the Council (three or more votes). Any future change orders related to the project would also be funded with the Fund Balance.

Since no specific direction was provided to Staff, we have taken the liberty to prepare the following:

1. An amended Bond Ordinance that would fund the original amount of the Swimming Pool project in the amount of \$2,200,000. This would then require the use of \$700,000 of the Fund Balance, which would require a resolution amending the approved FY 2019-20 Budget.
2. An amended Bond Ordinance that would fund the entire Pool Project at a cost of \$2,900,000.
3. A resolution that would amend the approved General Fund Budget to fund the Pool Project in the total amount of the project cost (\$2,900,000).

If the City Council makes a decision to proceed with the Pool Project by approving one of the above financial options, then the following action will be required:

1. Remove the four Tabled resolutions from the Table and approve each respective resolution. This will approve the four respective Pool Project bids, which will move the project forward.

Final thoughts and conclusion:

Attached is the memo dated August 12, 2019 that was presented to you during our most recent Council Work Session. It is provided to assist you as you review the potential consequences and financial options that are available to fund the project.

As stated in the attached report, if the Council approves the Swimming Pool Project and uses the City's Fund Balance to fund the entire \$2,900,000 project, it will significantly affect the City's ability to finance future Capital Projects already identified in the Five-Year Capital Project Plan. Furthermore, such action will affect

future City General Fund Budgets since such a significant reduction in the Fund Balance will adversely affect the City's ability to use the Fund Balance to assist in balancing future City budgets if/when it may be necessary.

Finally, if the Fund Balance is reduced by \$2,900,000, there is no doubt that based on my professional experience that the City's financial rate will be downgraded by Moody's prior to the City going out to issue any more debt. The City Comptroller noted that if this downgrade occurs, the City will see a total increase in debt interest cost of approximately \$300,000 (during the life of the respective new Bond) if the City proceeds with the approved Five-Year Capital Project Plan.

Again, as previously stated, it is my recommendation that all Pool/Bathhouse bids be rejected. This is based on the fact that our pool consultant reported that the bids received by the City are a minimum of 25 % higher than what is supported by the marketplace. This means that if the bids are awarded, the City could be paying far more for the project than what is justified.

The City could re-bid this project and present the new bids prior to the end of the calendar year.

ORDINANCE

Page 1 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

At a regular meeting of the Council of the City of Watertown, Jefferson County, New York, held at the Municipal Building, in Watertown, New York, in said City, on August 19, 2019, at 7:00 o'clock P.M., Prevailing Time.

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

PRESENT:

ABSENT:

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

BOND ORDINANCE DATED AUGUST 19, 2019.

WHEREAS, by ordinance dated January 2, 2018, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$2,400,000 bonds of said City to pay the cost of the Thompson Park Pool and Bathhouse renovation, a class of objects or purposes, including installation of a pool, a new filtration system with enclosure, new concrete decking, fencing, and incidentals, and including building modifications to the Bathhouse to make the

ORDINANCE

Page 2 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

Council Member COMPO, Sarah V.

Council Member HENRY-WILKINSON, Ryan J.

Council Member HORBACZ, Cody J.

Council Member RUGGIERO, Lisa A.

Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

facility accessible to persons with disabilities, demolition and reconstruction of the bathroom and shower wings of the building, upgrades to life safety systems, replacement of broken drain and plumbing lines and fixtures and new flooring and wall finishes, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class objects or purposes, at an estimated maximum cost of \$2,400,000, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, no obligations have yet been issued under the foregoing ordinance;

WHEREAS, it has since been determined that construction of a new pool and bathhouse should be undertaken rather than a renovation;

WHEREAS, the Council now wishes to increase the estimated maximum cost of the aforesaid class objects or purposes from \$2,400,000 to \$3,100,000, an increase of \$700,000 over that previously authorized, and to appropriate \$700,000 current funds to pay said increase;

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

Section A. The title and Sections 1, 2 and 3 of the ordinance of this Council dated and duly adopted January 2, 2018, authorizing the issuance of \$2,400,000 bonds to pay the cost of the Thompson Park Pool and Bathhouse renovation, a class of objects or purposes, including installation of a pool, a new filtration system with enclosure, new concrete decking, fencing, and incidentals, and including building modifications to the Bathhouse to make the facility accessible to persons with disabilities, demolition and reconstruction of the bathroom and shower wings of the building, upgrades to life safety systems, replacement of broken drain and plumbing lines and fixtures and new flooring and wall finishes, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class objects or purposes, at

ORDINANCE

Page 3 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.
 Total

YEA	NAY

an estimated maximum cost of \$2,400,000, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$2,400,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY PART OF THE \$3,100,000 ESTIMATED MAXIMUM COST OF A NEW THOMPSON PARK POOL AND BATHHOUSE, IN AND FOR SAID CITY.”

.....
 “Section 1. For the class objects or purposes of the cost of the construction of a new Thompson Park Pool and Bathhouse, a class of objects or purposes, including construction of a pool, a new filtration system with enclosure, new concrete decking, fencing, and incidentals, construction of a new Bathhouse therefor, demolition and incidental improvements and original equipment in connection therewith, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, there are hereby authorized to be issued \$2,400,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class objects or purposes is \$3,100,000 and that the plan for the financing thereof is by the provision of \$700,000 current funds of the City hereby appropriated therefor, and by the issuance of the \$2,400,000 bonds of said City authorized to be issued pursuant to this bond ordinance, provided however, that the amount of bonds to be issued shall be reduced by the amount of any grant funds received therefor.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is twenty years, pursuant to subdivision 92 of paragraph a of Section 11.00 of the Local Finance Law, as said class consists of items with a period of probable usefulness of at least twenty years under subdivisions 11 or 61 of said paragraph a.

ORDINANCE

Page 4 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

Council Member COMPO, Sarah V.
Council Member HENRY-WILKINSON, Ryan J.
Council Member HORBACZ, Cody J.
Council Member RUGGIERO, Lisa A.
Mayor BUTLER, Jr., Joseph M.
Total

Table with 2 columns: YEA, NAY. 6 rows for council members and 1 row for Total.

Section B. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
(2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
(3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this ordinance taking effect, the same shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This ordinance is effective immediately.

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

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

VOTING _____
VOTING _____
VOTING _____
VOTING _____
VOTING _____

The ordinance was thereupon declared duly adopted.

ORDINANCE

Page 5 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

* * * * *

APPROVED BY THE MAYOR

_____, 2019.
Mayor

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

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

That I have compared the annexed extract of the minutes of the meeting of the Council of said City, including the ordinance contained therein, held on August 19, 2019, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

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

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

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

Newspaper and/or other news media Date given

ORDINANCE

Page 6 of 6

An Ordinance Amending the Ordinance Dated January 2, 2018, Authorizing the Issuance of \$2,400,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Cost of the Thompson Park Pool and Bathhouse Renovation, in and for Said City, to Provide for the Construction of a New Pool and Bathhouse, to Increase the Estimated Maximum Cost Thereof to \$3,100,000 and to Appropriate \$700,000 Current Funds of the City to Fund Such Increase

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

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

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

Designated Location(s) of Posted Notice Date of Posting

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

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City on August ____, 2019.

City Clerk
(CORPORATE SEAL)

Seconded by

Proposed Local Law No. 2 of 2019

August 12, 2019

To: The Honorable Mayor and City Council

From: Richard M. Finn, City Manager 

Subject: Local Law Adopting Chapter 125-5 and 125-6,
Vacant Building Registry

As discussed at the June 11, 2019 City Council Work Session, we are proceeding with finalizing a Local Law to adopt a Vacant Building Registry. The attached Proposed Local Law for Council consideration sets out how the law will be administered and the proposed penalties to be enforced.

A Public Hearing needs to be scheduled for 7:30 p.m. on September 3, 2019. A resolution that adopts the City Fees and Charges Schedule will be presented to Council at that meeting thereby codifying the fees for penalties.

LOCAL LAW

Page 1 of 5

A Local Law Adopting Chapter 290 of the Code of the City of Watertown, Vacant Building Registry

Council Member COMPO, Sarah V.
 Council Member HENRY-WILKINSON, Ryan J.
 Council Member HORBACZ, Cody J.
 Council Member RUGGIERO, Lisa A.
 Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by

A Local Law adopting Chapter 290 of the Code of the City of Watertown providing for the registration and inspection of Vacant Buildings.

WHEREAS the City Council of the City of Watertown has determined that buildings in the City which remain vacant are unsightly, unsafe and have a negative effect on their surroundings, and

WHEREAS these vacant buildings are particularly troublesome in City residential and commercial neighborhoods and, once vacant, remain that way for many years, and

WHEREAS the City Council of the City of Watertown wishes to establish a program in the City of Watertown to identify and register vacant buildings, to determine the responsibilities of owners of vacant buildings and structures, to ensure that the structures do not deteriorate, and to speed the rehabilitation process of vacant properties, and

WHEREAS a public hearing was held on September 3, 2019 at 7:30 p.m. in the City Council Chambers;

BE IT ENACTED by the City Council of the City of Watertown, New York, Chapter 290 of the Code of the City of Watertown, entitled "Vacant Building Registry" shall be adopted and read as follows:

§ 290-1. Legislative findings and purpose.

It is the finding of the City Council of the City of Watertown that buildings in the City which remain vacant are unsightly, unsafe and have a negative effect on their surroundings. This is particularly troublesome in City residential and commercial neighborhoods. Unfortunately, many buildings, once vacant, remain that way for many years. The purpose of this article is to establish a program in the City of Watertown to identify and register vacant buildings; to determine the responsibilities of owners of vacant buildings and structures; to ensure that the structures do not deteriorate; and to speed the rehabilitation process of vacant properties.

LOCAL LAW

Page 2 of 5

A Local Law Adopting Chapter 290 of the Code of the City of Watertown, Vacant Building Registry

Council Member COMPO, Sarah V.
Council Member HENRY-WILKINSON, Ryan J.
Council Member HORBACZ, Cody J.
Council Member RUGGIERO, Lisa A.
Mayor BUTLER, Jr., Joseph M.

Total

Table with 2 columns: YEA, NAY. It contains empty rows for each council member and a total row.

§ 290-2. Definitions.

Unless otherwise expressly stated, the following terms shall, for the purpose of this article, have the meanings indicated in this section:

CODE ENFORCEMENT OFFICER - A duly authorized representative of the Bureau of the Code Enforcement.

OWNER - Those shown to be the owner or owners of the records of the City of Watertown Assessor's Office, those identified as owner or owners on a vacant building registration form, a mortgagee in possession, assignee of rents, receiver, executor, trustee, lessee, or other firm, corporation or person(s) in control of the premises. Any such persons shall have a joint and several obligations for compliance with the provisions of this article.

SECURED BY OTHER THAN NORMAL MEANS - A building secured by means other than those used in the design of the building such as doors, locks, window locks etc...

UNSECURED - A building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.

VACANT BUILDING - A building or portion of building in the City of Watertown which is:

- A. Unoccupied and unsecure;
B. Unoccupied and secured by other than normal means;
C. Unoccupied and unsafe as determined by a Code Enforcement Officer;
D. Unoccupied and has multiple housing or building code violations;
E. Illegally occupied.
F. Unoccupied building for sale or rent and has multiple housing or building code violations which are not under repair with a valid Building Permit.

** A vacant building with properly maintained building and grounds which meets State Property Maintenance Code, is exempt from registration. (This includes vacant buildings for sale or rent (provided that the property is being actively marketed for sale or rent)

LOCAL LAW

Page 3 of 5

A Local Law Adopting Chapter 290 of the Code of the City of Watertown, Vacant Building Registry

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

§ 290-3. Vacant building registration.

- A. The owner shall register a vacant building with the Bureau of Code Enforcement no later than 30 days after the building becomes vacant.
- B. The registration shall be submitted on forms provided by a Code Enforcement Officer and shall include the following information given by the owner:
 - (1) A description of the premises, including but not limited to square footage, number of stories, age of building, and most recent use of the building.
 - (2) The names and addresses of the owner or owners. If the owner is a corporation, limited liability company, or partnership, the address for each director, manager, member or partner, as the case may be. The address must include a street address; a post office box is not an acceptable address.
 - (3) If the owner does not reside in Jefferson county or any adjoining county, the name and address of any third party with whom the owner has entered into a contract or agreement for property management. The address must include a street address; a post office box is not an acceptable address.

§ 290-4. Vacant building fees.

- A. The owner of a vacant building shall pay a registration fee as established by the City Council through a resolution that adopts a City Fees and Charges Schedule. The registration fee is due and payable upon registration: to wit, no later than 30 days after any building becomes a “vacant building,” as defined above, or no later than 30 days after being notified by a Code Enforcement Officer of the required registration.
- B. If the building is to remain vacant more than 90 days, then the owner will also annually pay a vacant building inspection fee as established in the current City Fees and Charges Schedule. This inspection fee is due and payable together with the registration fee.

LOCAL LAW

Page 4 of 5

A Local Law Adopting Chapter 290 of the Code of the City of Watertown, Vacant Building Registry

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

- C. If the building is to be rehabilitated or returned to a permitted use allowed within the zoning district within 90 days, then no registration is required as long as it meets the following:
 - Plans must be filed with the office of Code Enforcement for the rehabilitation of the building.
 - The plans must contain a start and/or estimated completion date.
 - Plans must also contain benchmarks calling for progress to be achieved at 30, 60 and 90 day intervals.
 - Failure to meet the above benchmarks without just cause will require the owner to register and pay all fees associated with the registration process and will become due yearly until the rehabilitation has been completed and Certificate of Occupancy or a Certificate of Compliance with this registry law has been issued or the structure has been demolished.

- D. If the owner of a vacant building fails to register within 30 days of being notified by a City Code Enforcement Officer, the annual inspection fee will be charged in addition to the registration fee. If the owner fails to pay the fees in a timely manner, the registration fee plus the administration fee as established by the City Fees and Charges Schedule will become a lien upon the property where on such conditions exist or is located and shall be added to and become a part of the taxes next to be assessed and levied upon such lot or land and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner as taxes.

§ 290-5. Inspections.

The Code Enforcement Office shall inspect any premises in the City believed to be a vacant building for the purpose of enforcing and assuring compliance with the provisions of this article. Upon the request of the Code Enforcement Officer, an owner may be required provide access to all interior portions of an unoccupied building in order to permit a complete inspection.

§ 290-6. Annual reports.

Once a year, the Code Enforcement Office shall provide the City Manager with a list of all buildings in the City declared vacant under the provisions of this article, as well as a

LOCAL LAW

Page 5 of 5

A Local Law Adopting Chapter 290 of the Code of the City of Watertown, Vacant Building Registry

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

list of all previously declared vacant buildings which are no longer subject to the provisions of this article. This listing shall be forwarded to the City Council.

§ 290-7. Penalties for offenses.

Any person violating any provisions of this Vacant Building Registration Law, including but not limited to failure to register, or providing false information to the Code Enforcement Office, shall be subject to the following penalties:

- A. Such person will be subject to a penalty of \$500 for the first month and \$1,000 for each subsequent month that the registration required by this article is not timely performed.
- B. The term, “person,” as used in this section, will include the owner, occupant, mortgagee or vendee in possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent or any other person, firm or corporation directly in control of the building or part thereof.

BE IT FURTHER ENACTED that this Local Law shall take effect on December 1, 2019 upon being filed with the New York Secretary of State.

Seconded by

Tabled

August 12, 2019

To: The Honorable Mayor and City Council

From: Richard M. Finn, City Manager

Subject: Bid for Thompson Park Swimming Pool and Bathhouse

The attached four resolutions were Tabled at the August 5, 2019 City Council Meeting. Action needs to be taken to either remove from the Table or rescind the motions.

August 12, 2019

To: The Honorable Mayor and City Council
From: Richard M. Finn, City Manager
Subject: Bids for Thompson Park Swimming Pool and Bathhouse

During the most recent City Council Meeting held on Monday, August 5, 2019, the City Council voted 3-2 not to accept the City Manager's recommendation to reject all Swimming Pool/Bathhouse Bids. A follow up motion was made to proceed to award the Swimming Pool/Bathhouse bids to the respective lowest bidders. Four resolutions were introduced and then each resolution was subsequently Tabled. Subsequent to the August 5 Council Meeting, the City Council met on Monday, August 12, in a Work Session to discuss/review the Swimming Pool project. The focus of the Work Session was to review the fiscal implications of proceeding with the project and to determine if a majority of the City Council agreed to pursue the project.

During the Work Session, the following information was presented for discussion:

1. If the Swimming Pool Project proceeds, the City will not be able to use the existing Bond Ordinance to fund any portion of the project. The City Bond Counsel has advised the City Comptroller that because the scope of the project changed (renovation vs. new construction) and the total cost and financing plan are also changed, an amended Bond Ordinance would be required.
2. The total estimated cost of the Pool/Bathhouse Project is \$3,100,000. Allowing for the State grant that the City previously received for this project, the City needs to identify how to finance \$2.9 million.
3. No action was taken during the Work Session, although three Council Members indicated that they supported moving forward with the project.

Based on the above, the City Staff has included in the Council Agenda the four resolutions that were Tabled during the August 5, 2019 City Council Meeting. However, before these four resolutions can be removed from the Table and acted upon, the City Council must formally identify the funding source that will be used to pay for the Swimming Pool/Bathhouse project. There are two alternatives with which Council may proceed:

First: As noted above, approve an amended Bond Ordinance in the amount of \$2,900,000 to fund the entire project. This would require a minimum of four Council affirmative votes.

Second: Approve an amended Bond Ordinance in the amount of \$2,200,000 and a resolution amending the FY 2019-20 Budget to allocate \$700,000 of Fund Balance to the Swimming Pool Project.

Third: Approve the attached resolutions which would amend the approved FY 2019-20 General Fund Budget. The resolution would reduce the City's Fund Balance by \$2,900,000 and place these funds into a new Swimming Pool/Bathhouse Capital Project account. Such action would require a majority vote of the Council (three or more votes). Any future change orders related to the project would also be funded with the Fund Balance.

Since no specific direction was provided to Staff, we have taken the liberty to prepare the following:

1. An amended Bond Ordinance that would fund the original amount of the Swimming Pool project in the amount of \$2,200,000. This would then require the use of \$700,000 of the Fund Balance, which would require a resolution amending the approved FY 2019-20 Budget.
2. An amended Bond Ordinance that would fund the entire Pool Project at a cost of \$2,900,000.
3. A resolution that would amend the approved General Fund Budget to fund the Pool Project in the total amount of the project cost (\$2,900,000).

If the City Council makes a decision to proceed with the Pool Project by approving one of the above financial options, then the following action will be required:

1. Remove the four Tabled resolutions from the Table and approve each respective resolution. This will approve the four respective Pool Project bids, which will move the project forward.

Final thoughts and conclusion:

Attached is the memo dated August 12, 2019 that was presented to you during our most recent Council Work Session. It is provided to assist you as you review the potential consequences and financial options that are available to fund the project.

As stated in the attached report, if the Council approves the Swimming Pool Project and uses the City's Fund Balance to fund the entire \$2,900,000 project, it will significantly affect the City's ability to finance future Capital Projects already identified in the Five-Year Capital Project Plan. Furthermore, such action will affect

future City General Fund Budgets since such a significant reduction in the Fund Balance will adversely affect the City's ability to use the Fund Balance to assist in balancing future City budgets if/when it may be necessary.

Finally, if the Fund Balance is reduced by \$2,900,000, there is no doubt that based on my professional experience that the City's financial rate will be downgraded by Moody's prior to the City going out to issue any more debt. The City Comptroller noted that if this downgrade occurs, the City will see a total increase in debt interest cost of approximately \$300,000 (during the life of the respective new Bond) if the City proceeds with the approved Five-Year Capital Project Plan.

Again, as previously stated, it is my recommendation that all Pool/Bathhouse bids be rejected. This is based on the fact that our pool consultant reported that the bids received by the City are a minimum of 25 % higher than what is supported by the marketplace. This means that if the bids are awarded, the City could be paying far more for the project than what is justified.

The City could re-bid this project and present the new bids prior to the end of the calendar year.

RESOLUTION

Page 1 of 1

Accepting Bid for Thompson Park Swimming Pool and Bathhouse, General Construction

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for Thompson Park Swimming Pool and Bathhouse, as per City specifications, and

WHEREAS bid invitations were also sent to nine prospective bidders, with two sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, July 25, 2019, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bids received with the Engineering Department along with C&S Engineers, Inc, the Engineering firm hired for the project, and it is their recommendation that the City Council accept the bid submitted by Con Tech,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Con Tech in the amount of \$2,138,640 for the Thompson Park Swimming Pool and Bathhouse, General Construction, as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to Con Tech, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance Amendment and Re-adoption of the Fiscal Year 2019/20 General Fund Budget to appropriate \$700,000 to partially fund the project.

Seconded by Council Member Cody J. Horbacz

RESOLUTION

Page 1 of 1

Accepting Bid for Thompson Park Swimming Pool and Bathhouse, Heating & Ventilation

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by Council Member Cody J. Horbacz

WHEREAS the City Purchasing Department has advertised and received sealed bids for Thompson Park Swimming Pool and Bathhouse, as per City specifications, and

WHEREAS bid invitations were also sent to nine prospective bidders, with two sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, July 25, 2019, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bids received with the Engineering Department along with C&S Engineers, Inc, the Engineering firm hired for the project, and it is their recommendation that the City Council accept the bid submitted by Hyde-Stone,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Hyde-Stone in the amount of \$102,746 for the Thompson Park Swimming Pool and Bathhouse, Heating & Ventilation, as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to Hyde-Stone, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance Amendment and Re-adoption of the Fiscal Year 2019/20 General Fund Budget to appropriate \$700,000 to partially fund the project.

Seconded by Council Member Ryan J. Henry-Wilkinson

RESOLUTION

Page 1 of 1

Accepting Bid for Thompson Park Swimming Pool and Bathhouse, Plumbing

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by Council Member Cody J. Horbacz

WHEREAS the City Purchasing Department has advertised and received sealed bids for Thompson Park Swimming Pool and Bathhouse, as per City specifications, and

WHEREAS bid invitations were also sent to nine prospective bidders, with four sealed bids submitted to the Purchasing Department, and

WHEREAS on Thursday, July 25, 2019, at 11:00 a.m., the bids received were publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bids received with the Engineering Department along with C&S Engineers, Inc, the Engineering firm hired for the project, and it is their recommendation that the City Council accept the bid submitted by Tmechanical,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Tmechanical in the amount of \$151,000 for the Thompson Park Swimming Pool and Bathhouse, Plumbing, as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to Tmechanical, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance Amendment and Re-adoption of the Fiscal Year 2019/20 General Fund Budget to appropriate \$700,000 to partially fund the project.

Seconded by Council Member Ryan J. Henry-Wilkinson

RESOLUTION

Page 1 of 1

Accepting Bid for Thompson Park Swimming Pool and Bathhouse, Electrical

- Council Member COMPO, Sarah V.
- Council Member HENRY-WILKINSON, Ryan J.
- Council Member HORBACZ, Cody J.
- Council Member RUGGIERO, Lisa A.
- Mayor BUTLER, Jr., Joseph M.

Total

YEA	NAY

Introduced by Council Member Ryan J. Henry-Wilkinson

WHEREAS the City Purchasing Department has advertised and received sealed bids for Thompson Park Swimming Pool and Bathhouse, as per City specifications, and

WHEREAS bid invitations were also sent to nine prospective bidders, with one sealed bid submitted to the Purchasing Department, and

WHEREAS on Thursday, July 25, 2019, at 11:00 a.m., the bid received was publicly opened and read, and

WHEREAS City Purchasing Manager Dale Morrow reviewed the bid received with the Engineering Department along with C&S Engineers, Inc, the Engineering firm hired for the project, and it is their recommendation that the City Council accept the bid submitted by Ridley Electric,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown accepts the bid of Ridley Electric in the amount of \$149,800 for the Thompson Park Swimming Pool and Bathhouse, Electrical, as the lowest qualified bidder meeting our specifications, and

BE IT FURTHER RESOLVED that City Manager Richard M. Finn is hereby authorized and directed to sign all contracts associated with implementing the award to Ridley Electric, and

BE IT FURTHER RESOLVED that approval of this resolution is contingent upon approval of the Bond Ordinance Amendment and Re-adoption of the Fiscal Year 2019/20 General Fund Budget to appropriate \$700,000 to partially fund the project.

Seconded by Council Member Cody J. Horbacz

August 12, 2019

To: The Honorable Mayor and City Council

From: Richard M. Finn, City Manager



Subject: Request for Abate – 406 Gotham Street

I received a request to abate the surcharge from the City of Watertown on the cost of mowing tall grass at the above address.

I have reviewed the facts of this request and have decided to abate the \$250.00 fee in accordance with §320-10 approved by City Council November 4, 2013.

No action required.

PO Box 46
East Moriches, NY 11940-0046
August 2, 2019

Rick Finn, City Manager
City of Watertown
Room 301, City Hall
245 Washington Street
Watertown, NY 13601

Re: Customer ID DPW00008063, Invoice Number 2019/40/0067264

Dear Mr. Finn:

In July I received a letter from the Bureau of Code Enforcement stating a violation of the growth of grass, weeds, and brush in excess of the allowable limit per City Law. The letter was dated 6/26/2019. I had just mowed the lawn and the margin on June 17th and it was not even 8 inches tall. I disregarded the letter believing that whoever inspected the property did so before that date and was being overzealous. I come to Watertown every four weeks to care for the property.

On July 12 I received the above invoice. I didn't understand why. I arrived back in Watertown on July 14 to find that my back yard herb garden had been mowed down. No other action had been taken. I spoke with Shawn McWayne on July 15 about the matter. He agreed that the action should not have been taken. Mr. McWayne explained that his young crews don't know the difference between herbs and weeds. He suggested that I write to you to have this invoice reversed.

I would like to point out that this is not the first time City DPW crews have mowed down my garden. Several years ago, when action was taken on the neighboring property on Academy Street, the City came around the fence and mowed down my entire garden of tomatoes, peppers, squash and beans. The city manager at that time suggested I submit a bill for the damage, but I could not find an honest way to value the loss, so I let the matter slide.

I appreciate your prompt attention to this matter.

Sincerely,



Roy Steinmetz

on behalf of Richard Baker



CITY OF WATERTOWN INVOICE

Customer Id DPW00008063

Invoice Number 2019/40/0067264
 Invoice Date 7/09/2019
 Invoice Due Date 8/08/2019

BAKER RICHARD
 PO BOX 46
 EAST MORICHES NY 11940-0046

Mail Remittance To:
 CITY COMPTROLLER'S OFFICE
 ROOM 203, CITY HALL
 245 WASHINGTON STREET
 WATERTOWN NY 13601
 (315) 785-7754

Desc: TALL GRASS 406 GOTHAM ST

Prop Loc: 406 GOTHAM ST



Muni/Sbl: 221800 11-0003-222.000

Service	Quantity	Unit	Unit Price	Amount
7/3/2019 MOWING LABOR FEE	1.00		99.15	99.15 tx
DPW EQUIPMENT FEE	1.00		22.65	22.65 tx
WEED TRIMMERS FEE	4.00		2.00	8.00 tx
LEAF BLOWER FEE	1.00		2.00	2.00 tx
CODE ENFORCEMENT SURCHARGE	1.00		250.00	250.00 tx
SALES TAX: DPW				30.54

131.80
 10.54 tax

 142.34

Total Amount Due 412.34

Please Make Check Payable To: CITY COMPTROLLER
 Please Reference Invoice Numbers On All Remittance

August 12, 2019

To: The Honorable Mayor and City Council

From: Richard M. Finn, City Manager



Subject: Request for Abate – 196 Duffy Street

I received a request to abate the surcharge from the City of Watertown on the cost of mowing tall grass at the above address.

I have reviewed the facts of this request and have decided to abate the \$250.00 fee in accordance with §320-10 approved by City Council November 4, 2013.

No action required.

Giso, Elaine

From: Laura Fiaschetti [lcf1965@yahoo.com]
Sent: Monday, July 22, 2019 7:32 PM
To: Giso, Elaine
Subject: 196 Duffy St.

Dear Sir,

I am writing in regards to a citation my father received for "tall grass" on a vacant lot at 196 Duffy Street.

On June 3, 2019 code enforcement sent a letter to my father at 231 Franklin Street stating that this lot is in violation (section 98.1). My father had a stroke recently and currently resides in a nursing home. By the time his mail got forwarded to me in Rochester, NY it was Friday June 14th. I immediately called codes and spoke with Morgan. I told her my fathers' situation and that this lot was in the process of being transferred to me. I promised her I would have the lot cut no later than Sunday June 16th. She told me that lot had to be cut back at least ten feet and that it will definitely be reinspected on Monday June 17th.

On June 16th I had the lot cut to 3 inches high and 40 feet deep. Additionally, I hired a lawn service to have this lot cut every two weeks. I also asked Morgan to contact me if the lot did not pass inspection on the 17th because I live in Rochester and can not drive by. She said she would and I was never notified it did not pass the Monday June 17th inspection. I thought I was all set.

My lawn service showed up July 8 to cut the lot again and they informed me the lot had already been cut. I immediately called codes and spoke with Morgan to find out what happened. She remembered our conversation and my promise to cut this lot and she said she would look into it. She also stated that the order appeared to be for a different address on Duffy Street so I figured the Town must have cut my property by mistake.

On Tuesday July 16th I receive a bill to my address in Rochester for \$407.28 for the cutting of said lot by the City of Watertown. I called codes again. Morgan was not in and I spoke with Christine. I explained the situation about my father and that as of June 19th the property was in my name and address and that I had not received any notice about this lot being in violation.

Christine said the lot had been *recently* inspected and was ten to twelve inches high and she put in an order to have it cut. I was never advised of the "recent" inspection, the inspection date, or the failure of the inspection. She advised me to write a letter to the city manager explaining the situation.

On Wednesday July 17th I call codes again to speak with Morgan. She apologized for not catching the bill as she said she would try to do. She also advised me to write a letter to the city manager explaining the situation and that the lot had been previously cut and met the requirements of the citation I received.

The City of Watertown did a mirror cut of the forty feet my lawn service did, not the ten feet required to meet code, which is proof I did cut that lot as promised. I also have Christines testimony that the lot was ten to twelve inches high proving again it had been cut because beyond forty feet on this property the growth is over two feet tall.

I am requesting a one time courtesy dismissing this bill due to I did not receive proper notification of violation and I have worked diligently keeping in contact with the codes department to maintain compliance.

Please feel free to contact me at any time to discuss in further detail.
I can be reached at

585-752-2625

lcf1965@yahoo.com

Laura C. Joseph
32 Barcrest Dr
Rochester, NY 14616

CITY OF WATERTOWN INVOICE

Customer Id DPW00008072

Invoice Number 2019/40/0067280
Invoice Date 7/11/2019
Invoice Due Date 8/12/2019

JOSEPH LAURA C
17 PHYLLIS LN
ROCHESTER NY 14624

Mail Remittance To:
CITY COMPTROLLER'S OFFICE
ROOM 203, CITY HALL
245 WASHINGTON STREET
WATERTOWN NY 13601
(315) 785-7754

Desc: TALL GRASS 196 DUFFY ST

Prop Log: 196 DUFFY ST



Muni/Sbl: 221800 9-0014-116.000

Service	Quantity	Unit	Unit Price	Amount
7/8/2019 MOWING LABOR FEE	1.00		91.46	91.46 tx
DPW EQUIPMENT FEE	1.00		27.65	27.65 tx
WEED TRIMMERS FEE	3.00		2.00	6.00 tx
LEAF BLOWER FEE	1.00		2.00	2.00 tx
CODE ENFORCEMENT SURCHARGE	1.00		250.00	250.00 tx
SALES TAX: DPW				30.17

127.11
10.17 tax
137.28

Total Amount Due

407.28

Please Make Check Payable To: CITY COMPTROLLER

Please Reference Invoice Numbers On All Remittance

August 13, 2019

To: Richard M. Finn, City Manager
From: Michael A. Lumbis, Planning and Community Development Director
Subject: Public Hearing for the Community Development Block Grant Program
Consolidated Annual Performance and Evaluation Report (CAPER)

As part of the City's Community Development Block Grant (CDBG) Program, the City Council is required to hold at least two public hearings annually to obtain public input and comments on our program. The first public hearing, typically held in March, is conducted as we prepare to write our Annual Action Plan.

A second public hearing must be held in September, after the conclusion of our program year, to allow the public to comment on the City's annual performance. The September public hearing coincides with the submission of the City's Consolidated Annual Performance and Evaluation Report (CAPER) to the U.S. Department of Housing and Urban Development (HUD). Federal regulations require that the City submit the CAPER within 90 days of the close of the program year, which is September 28. A draft of the CAPER has to be available for public review at least fifteen days prior to the scheduled public hearing. Staff plans to complete the draft of the CAPER by September 1, 2019.

In order to meet the public hearing requirement and comply with the time frames noted above, I am requesting that the City Council **schedule a public hearing to hear public comments on the City's Community Development Block Grant Consolidated Annual Performance and Evaluation Report at 7:30 p.m. on Monday, September 16, 2019.**

ACTION: City Manager recommends scheduling a public hearing at the date and time noted above.

