

**CITY OF WATERTOWN, NEW YORK
AGENDA**

This shall serve as notice that the next regularly scheduled meeting of the City Council will be held on Monday, November 5, 2012, 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 - Approving the Agreement Between The City of Watertown and Loomacres Wildlife Management to Establish and Administer a Winter Crow Roost Dispersal Program
- Resolution No. 2 - Adopting Guidelines and Administrative Procedures for the HOME Repair Program

ORDINANCES

- Ordinance No. 1 - Amending City Municipal Code Section 293-61, Schedule XIII, Parking Prohibited at All Times
- Ordinance No. 2 - Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

LOCAL LAW

PUBLIC HEARING

- 7:30 p.m. Resolution Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

OLD BUSINESS

Tabled - Resolution Authorizing Sale of Real Property, Known as
60 Woodley Street to William Martin, 576 Snell Street,
Watertown, New York 13601

STAFF REPORTS

1. Board and Commission Appointments
2. Letter From Small Business Development Center

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
NOVEMBER 19, 2012.**

October 30, 2012

To: The Honorable Mayor and City Council

From: Elliott B. Nelson, Assistant to the City Manager

Subject: Crow Roost Dispersal Program 2012-2013

It is again the time of year when the City Council must consider how best to mitigate the crow flock that roosts nightly within the City of Watertown during the colder months. As Council will recall, last year the City contracted with Loomacres Wildlife Management, Inc to conduct a crow-hazing program. As discussed at the September 14, 2011 City Council Work Session, the proposal submitted by Loomacres Wildlife Management for crow dispersal is the most cost-effective of the options available to the City. This is again the case, and Staff is recommending contracting with Loomacres for 2012-13 crow-hazing activities.

Loomacres Wildlife Management will utilize several techniques similar to those used in previous crow dispersal efforts in the City. Trained Wildlife Biologists from Loomacres will employ multiple crow-hazing methods, including playing distress sounds, using a remote-controlled aircraft, firing low-yield pyrotechnics, and shining lasers. These methods will be utilized over a five-night period, the exact date of which will be determined by crow population surveys. Additionally, Loomacres will again establish a crow complaint hotline for the citizens of Watertown to call in and report the movement and location of the crow flock. Last year, this proved to be an extremely effective tool in both tracking the flock and reducing call volume for City staff.

Staff has worked with Loomacres Wildlife Management to develop the attached contract. Under this agreement, Loomacres will be contracted to provide a 150 man-hour crow dispersal program for the cost of \$4,693, which includes administration and supplies. If additional crow dispersal services are deemed necessary by the City, additional man-hours above 150 will be billed at the rate of \$35 per hour, with a maximum of 90 additional man-hours allowed under the terms of this Agreement. The maximum amount paid by the City under the terms of this contract is \$7,843, which is a 12% increase over last year's contract rate. It should be noted that the only costs associated with last year's crow-hazing program was the initial 150 man-hours, at the cost of \$3,719.

Attached for Council's review are the minutes from the September 14, 2011 Work Session, as well as a report submitted by Loomacres Wildlife Management detailing last year's crow-hazing activities.

A resolution approving the Agreement between the City of Watertown and Loomacres Wildlife Management for a crow roost dispersal program is attached for City Council Approval.

RESOLUTION

Page 1 of 1

Approving the Agreement Between The City of Watertown and Loomacres Wildlife Management to Establish and Administer a Winter Crow Roost Dispersal Program

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

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown desires to work with Loomacres Wildlife Management regarding professional services to help alleviate the nuisance of crows within the City and to administer a crow dispersal program, and

WHEREAS the City of Watertown has an urban crow roost that is a threat to human health and safety, causes damage to buildings and cars and results in associated clean up costs, and

WHEREAS, Loomacres Wildlife Management uses multiple hazing methods including distress calls, pyrotechnics, remote controlled aircraft, and lasers with the objective of reducing winter crow roosts, and

WHEREAS by using this strategy, the crows should relocate to an alternative, more suitable roosting site, reducing local conflicts associated with an urban crow roost, and

WHEREAS, the City of Watertown has prepared an Agreement, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and Loomacres Wildlife Management to establish and administer a crow dispersal program, and

BE IT FURTHER RESOLVED that the City Council hereby authorizes and directs the City Manager, Sharon Addison, the execute the Agreement on behalf of the City of Watertown.

Seconded by

CROW DISPERSAL PROGRAM AGREEMENT

by and between

THE CITY OF WATERTOWN

and

LOOMACRES WILDLIFE MANAGEMENT

AGREEMENT (the "Agreement") made this ___ day of November, 2012 by and between the City of Watertown, 245 Washington Street, Watertown, New York 13601 ("City"), and Loomacres Wildlife Management, P.O. Box 361, Warnerville, New York 12187 ("LWM").

ARTICLE 1 – PURPOSE

The purpose of this Agreement is to establish and administer a winter crow dispersal program for the City during the 2012-2013 winter season. The City wishes to retain the services of LWM for said winter crow dispersal program.

ARTICLE 2 – TERM OF AGREEMENT

The term of this Agreement will begin on December 1, 2012 and conclude on February 29, 2013.

ARTICLE 3 – SCOPE OF WORK

The scope of work to be performed by LWM under the terms of this Agreement shall be as outlined in the Work Plan, made part of and attached hereto as Attachment A.

ARTICLE 4 – COMPENSATION

1. The amount to be paid and the manner in which LWM shall be paid by the City under the terms of this Agreement is shown in the Financial Plan, made part of and attached hereto as Attachment B. For 150 man-hours of crow roost dispersal, the City will pay the fixed sum of \$4,693. Payment includes compensation to LWM for administrative and personnel costs, as well as supplies.
2. The parties may mutually agree to the use of additional LWM man-hours for the purpose of conducting follow-up crow dispersal efforts, as described in Attachment A of this Agreement. If approved by the City in advance, such additional man-hours shall be billed by LWM to the City at a rate of \$35 per hour, with a maximum of 90 additional man-hours permitted under the term of this Agreement.

ARTICLE 5 – JOINT RESPONSIBILITIES

LWM and the City mutually agree:

1. The parties' authorized representatives responsible for carrying out the provisions of this Agreement are:

Sharon Addison, City Manager
City of Watertown
245 Washington Street, Suite 302
Watertown, NY 13601

and

Cody L. Baciуска, Wildlife Biologist
Loomacres Wildlife Management
P.O. Box 361
Warnerville, NY 12187

2. To meet as determined necessary by either party to discuss mutual program interests, accomplishments, needs, technology, and procedures to maintain the Work Plan. Personnel authorized to attend meetings under this Agreement shall be Sharon Addison or her designee, Cody L. Baciуска or his designee, and/or those additional persons authorized and approved by the City and/or LWM.

ARTICLE 6 – CITY RESPONSIBILITIES

City agrees:

1. To authorize LWM to conduct crow dispersal activities to reduce human health and safety risks and property damage associated with an urban crow roost. These activities are defined in Attachment A, Work Plan. LWM will be considered an invitee on the lands controlled by the City. The City will be required to exercise reasonable care to warn LWM as to dangerous conditions or activities in the project areas.
2. To reimburse LWM for costs of services provided under this Agreement up to but not exceeding the amount specified in Attachment B, Financial Plan. The City will begin processing invoices submitted by LWM within 30 days of receipt.
3. To designate to LWM the City authorized individual whose responsibility shall be the coordination and administration of activities conducted pursuant to this Agreement.

ARTICLE 7 – LWM RESPONSIBILITIES

LWM Agrees:

1. To provide qualified personnel to initiate, administer, and perform the services as described in Attachment A of this Agreement.
2. To designate the LWM authorized representative who shall be responsible for the joint coordination and administration of the activities conducted pursuant to this Agreement.
3. To secure all necessary federal and/or state wildlife permits to conduct a crow roost dispersal.

4. To follow all applicable federal and state safety guidelines.
5. To bill the City during the performance of the agreed upon services specified in Attachment A. LWM shall keep records and receipts of all expenditures pertaining to this Agreement for a period of not less than one (1) year from the date of completion of the services provided under this Agreement. The City shall have the right to inspect and audit such records.

ARTICLE 8 – ENVIRONMENTAL COMPLIANCE

The performance of crow dispersal actions by LWM under this Agreement is contingent upon a determination by LWM that such actions are in compliance with the National Environmental Policy Act, Endangered Species Act, and any other applicable environmental statutes. LWM will not make a final decision to conduct requested crow dispersal actions until it has made the determination of such compliance.

ARTICLE 9 – INSURANCE

LWM shall maintain during the term of this Agreement commercial general liability insurance, issued by an insurer licensed to conduct business in New York State, in the amount of \$1,000,000 per incident and \$2,000,000 in the aggregate. Such policy shall name the City as an additional named insured. LWM shall furnish the City a certificate showing that such a policy has been issued and is in force prior to the commencement of any crow dispersal activities. Additionally, LWM shall procure and maintain workers' compensation insurance and disability insurance in accordance with the laws of the State of New York. This insurance shall cover all persons who are employees of LWM under the laws of the State of New York.

ARTICLE 10 – NONASSIGNABILITY

This Agreement may not be assigned by LWM to any other person or entity without the prior express written consent of the City. LWM agrees that the City's consent to any assignment may be withheld for any reason, and in its sole discretion.

ARTICLE 11 – TERMINATION

This Agreement may be terminated at any time by mutual agreement of the parties in writing, or by one party provided that party notifies the other in writing at least 30 days prior to effecting such action. Notices will be sent to the following addresses:

Sharon Addison, City Manager
245 Washington Street, Suite 302
Watertown, NY 13601

Cody L. Baciуска, Wildlife Biologist
P.O. Box 361
Warnerville, NY 12187

ARTICLE 12 – ENTIRE AGREEMENT

This Agreement represents the entire Agreement between the City and LWM. The City and LWM may mutually agree, upon approval by the City Council, to amend, modify, add or delete services from the Work Plan.

AGREED AND ACCEPTED:

CITY OF WATERTOWN

BY:

Sharon Addison, City Manager
City of Watertown
245 Washington Street, Suite 302
Watertown, NY 13601

Date

LOOMACRES WILDLIFE MANAGEMENT

BY:

Cody L. Baciуска, Wildlife Biologist
Loomacres Wildlife Management
P.O. Box 361
Warnerville, NY 12187

Date

JUSTIFICATION AND OBJECTIVES

The City of Watertown has requested assistance from Loomacres Wildlife Management following several years of increasing complaints from residents and City officials regarding crow (*Corvus brachyrhynchos*) damage in the City. The expressed concerns include damage to buildings and cars, the associated clean up costs, as well as the threat to human health and safety related to potential disease transmission from an excessive accumulation of crow feces.

In cooperation with the City of Watertown, LWM will develop and implement a winter crow dispersal program to assist the City in resolving issues associated with an urban winter crow roost.

PLANNED CROW DISPERSAL ACTIVITIES

1. LWM will provide trained Wildlife Biologists to conduct crow population surveys. Crow activity and population numbers will be monitored through-out the length of the contract. The information gathered will be used by the biologists to develop an integrated crow dispersal program to reduce the number of crows utilizing the City.
2. Crow roost dispersal will be conducted over a five (5) night period. The exact time frame will be determined by the population surveys. In order to conduct the crow dispersal, LWM trained personnel will utilize non-lethal harassment methods and techniques, including the use of spotlights, forward looking infra-red, and night vision, to locate the crows. LWM will disperse the crows from their roost by using specialized remote controlled aircraft, playing distress calls, firing pyrotechnics (screamers and bangers), and using handheld lasers. If additional roost dispersals are necessary they will be conducted based on crow surveys, input from City officials, and resident complaints.
3. LWM will provide technical assistance to City management. LWM will advise City officials and residents on habitat modifications/management techniques as well as additional methods the City and its residents can utilize to reduce the presence of crows.
4. As necessary, LWM will assist the City of Watertown with public relations. This includes public out-reach and media relations. LWM will establish a crow sighting and complaint phone line. This service will help LWM pinpoint problem areas. It will also allow for the distribution of information regarding the project.
5. Following the completion of the project, LWM will analyze the data collected during the surveys and roost dispersals. This data will be compiled into a final report that will highlight the results of the 2011-12 Watertown crow dispersal and make recommendations for the future.
6. LWM will investigate potential options to make the City less attractive to crows. Potential options may include installing physical barriers on rooftops and implementing habitat management practices that will make prone areas less suitable for roosting. If and when viable options have been determined, LWM may assist the City with implementing the options.

ATTACHMENT B – FINANCIAL PLAN

December 1, 2012 – February 29, 2013

Planned Crow Dispersal Activities

Administration and Personnel Costs (150 man-hours)	\$3,798
Equipment and Supplies	\$895
Total	\$4,630

Follow-up Treatment (if determined necessary and authorized by City)

Administration and Personnel Costs (90 man-hours)	\$3,150
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The distribution of the budget from this Financial Plan may vary as necessary to accomplish the goals of this Agreement, but will not exceed **\$7,843**.

Financial Points of Contact

Kristin Baciуска
Loomacres Wildlife Management
P.O. Box 361
Warnerville, NY 12187
Phone: (607) 760-8748
Fax: (518) 618-3129
Employer Identification Number: 20-3626939

Elliott B. Nelson, Confidential Assistant to the City Manager
City of Watertown
245 Washington Street, Suite 302
Watertown, New York 13601
Phone: (315) 785-7730
Fax: (315) 782-9014
Tax Identification Number: 15-6000419

LOOMACRES Wildlife Management

“Bringing wildlife management to a higher level”[®]

*Proposal to Conduct
Wildlife Conflict Resolution*

*Prepared for
City of Watertown, NY*

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**P.O. Box 361
Warnerville, NY 12187
800-243-1462**

- P r o f e s s i o n a l - R e l i a b l e - E t h i c a l -

Company profile

Loomacres Wildlife Management's primary mission is to provide government agencies, municipalities and the private sector with the highest quality of wildlife consulting available. Loomacres Wildlife Management is a company that understands the needs of our clients to provide a safe environment for people. Loomacres staff also understands the requirements that animals need. Often these problems collide creating an unsafe environment for people and wildlife. Our employees utilize their extensive experience and training in order to provide the utmost quality in wildlife management. They use sound, ethical practices to help alleviate the risk to human health and safety. Loomacres' foundation is based upon three basic principles: **professionalism, ethics, and reliability.**

Ethics: Loomacres Wildlife Management sets the standard for ethics in the industry. Loomacres efficiently serves our clients with safe, ethical, and innovative solutions that work.

Reliability: Loomacres Wildlife Management provides reliable service by consistently reacting to unforeseen conditions.

Professionalism: Our staff has the experience and credentials to meet the high standards that are required when working in the unique field of wildlife hazard management. Only the most professional company can provide quality services in this unique operating environment.

Personnel

Loomacres puts its reputation in the selection and the performance of our employees. All of the personnel that will be involved with this project have extensive experience conducting crow harassment, as well as performing ecological studies and surveys.

Our employees work under the direct supervision of the lead Wildlife Biologist and President of Loomacres Wildlife Management, Mr. Cody Baciуска. Mr. Baciуска has conducted Wildlife Hazard Assessments, developed Wildlife Hazard Management Plans, and has conducted numerous Wildlife Damage Management related research studies. Mr. Baciуска is a member of the National Wildlife Control Operators Association, the Wildlife Society and is the current president of the NYS Wildlife Management Association. Mr. Baciуска has provided crow harassment for several large cities in the North East.

Mr. Baciуска will be the primary Biologist overseeing the services offered in this proposal; his qualifications are included. (*Appendix I*)

Biologist Kristin Dorsch-Baciуска has been with Loomacres since it was established in 2005. Kristin has a diverse background in the biological sciences to include fisheries and wildlife, wetlands and plant science. Kristin holds a Master's of Science degree in Biology and has conducted several research studies relating to Wildlife Damage Management. She has presented her research at several venues including the USA/Canada Bird Strike Conferences as well as the 2009 Wildlife Damage Management Conference. Kristin has ample experience in habitat management and is confident in her ability to make recommendations that aid in solving issues regarding wildlife (See Resume, Appendix I).

Biologist Garrett Grilli achieved a bachelor's degree in Wildlife Management and has spent the last few years gaining valuable experience in the field of Wildlife Management. Prior to joining Loomacres, Garrett has experience working with the NYSDEC, VT Fish and Wildlife Department,

NYS Office of Parks, Recreation and Historic Preservation and the Albany Pine Bush Commission (See resume, Appendix I).

Recent projects

-Watertown International Airport, : Loomacres Inc. is conducting a Wildlife Hazard Assessment for the airport. Loomacres Inc. also assists the airport with direct control projects and Wildlife Hazard training. For more information please contact Steve Gerstenschlager, Operations Manager, at 315-783-7569.

-Syracuse International Airport, NY, : Loomacres Inc. has a Wildlife Hazard Assessment for the airport. Loomacres Inc. also assists the airport with direct control projects and Wildlife Hazard training. For more information please contact John Carni, Operations Manager, Syracuse Department of Aviation, at 315- 455-3680.

-Buffalo Niagara International Airport: Loomacres is the primary consultant providing Wildlife Hazard Management training and consulting services. For more information please contact Dave Macy, Operations Supervisor, Buffalo International Airport at 716-863-3586.

-Elmira-Corning Regional Airport: Loomacres is the primary consultant providing Elmira-Corning Regional Airport with an assessment of wildlife hazards at their airport. We have also assisted with the development of their Wildlife Hazard Management Plan, which has been approved by the FAA. Elmira-Corning Regional Airport has also contracted Loomacres to provide direct control of hazardous wildlife for the past several years. For more information please contact Bill DeGraw, Director of Operation, Elmira-Corning Regional Airport, at 607-426-5622.

-Plattsburgh International Airport, NY: Loomacres Inc. has completed a Wildlife Hazard Assessment and developed a Wildlife Hazard Management Plan for PBG. AIP funding was used to fund this project. This project was completed in September 2009. Loomacres Inc. is currently the prime consultant providing wildlife conflict resolution and Wildlife Hazard training for the airport. For more information please contact Frank Dietz, Assistant Manager, Plattsburgh International Airport, at 518-565-4015.

Additional references are available on request.

Objectives

Loomacres Wildlife Management wishes to enter into a 3 month agreement with the City of Watertown

The specific objectives of the agreement are to:

- Conduct crows roost surveys
- Reduce the number of crows inhabiting the city
- Alert city officials of potential wildlife hazards

Services provided

- I. Loomacres will provide trained Wildlife Biologists to conduct crow population surveys. Crow activity and population numbers will be monitored throughout the length of the contract. The information gathered will be used by the biologists to develop an integrated wildlife hazard management plan to reduce the number of crows utilizing the city.
- II. Crow roost dispersal will be conducted over a five night period. The exact time frame will be determined by the population surveys. In order to conduct the crow dispersal, Loomacres trained personnel will utilize non-lethal harassment methods and techniques including the use of spotlights, forward looking infra-red, and night-vision, to locate the crows. **Loomacres will disperse crows from their roosts by using specialized remote controlled aircraft, playing distress calls, firing pyrotechnics (screamers & bangers), using handheld lasers, paintball markers, and installing crow effigies.** If additional roost dispersals are necessary they will be conducted based on crow surveys and input from city officials and resident complaints.
- III. Loomacres will provide technical assistance to city management. Loomacres will advise city officials and residents on habitat modification/management techniques as well as additional methods the city and its residents can utilize to reduce the presence of crows.
- IV. As necessary, Loomacres can assist the City of Watertown with public relations. This includes public out-reach and media relations. Loomacres will establish a crow sighting and complaint hotline. This service will help Loomacres pinpoint problem areas. It will allow for the distribution of valuable information regarding the project.
- V. Following the completion of the project Loomacres will analyze the data collected during the surveys and roost dispersals. This data will be compiled into a final report that will highlight the results of the 2012-2013 Watertown crow dispersal, compare the results to previous crow dispersals and make future recommendations.
- VI. Loomacres Inc. will investigate potential options to make the city less attractive to crows. Some potential options may include installing physical barriers on the roof tops and implementing habitat management practices that will make prone areas less suitable for roosting.

Once viable options have been determined Loomacres will assist the City with implementing the options.
- VII. Loomacres will conduct a Pyrotechnic handling and safety course for city staff. The course will cover basic handling and safety procedures. It will also cover proper dispersal procedures and techniques.

Licenses and Permits

Loomacres Wildlife Management maintains all necessary permits and licenses to conduct wildlife management activities. Loomacres will act as a liaison with both State and Federal agencies to assist the City if necessary, with applications, permitting and reporting procedures.

Insurance

Loomacres Wildlife Management maintains liability insurance coverage consisting of \$1,000,000.00 per incident and \$2,000,000.00 aggregate. A certificate of Liability Insurance will be provided with this proposal. (*Appendix II*) If necessary, additional insurance will be acquired after the acceptance of this proposal, and prior to the start of the project.

Term

The proposed term of the agreement will begin on December 1, 2012 and conclude on February 29, 2013. Loomacres personnel will be available up to a total of 150 man-hours for the length of the contract to conduct wildlife surveys, wildlife conflict resolution, data analysis, and travel to and from the work site. Additional hours will be billed in addition to the scheduled hours at a rate of \$35/hour. Loomacres guarantees that the agreed upon services will be available for the entire length of the agreement.

Fees

Administration & Personnel Costs:	\$3,798.00
Equipment and Supplies:	\$895.00
<i>Total:</i>	<u>\$4,693.00</u>

Note: The City of Watertown will be billed monthly throughout the contract period. Payments will be due thirty days from the date of each invoice.

Financial Contacts

Loomacres Wildlife Management:

Kristin Baciуска

Loomacres Wildlife Management: (607) 760-8748

Employer Identification Number: 20-3626939

**Mailing Address: Loomacres Wildlife Management
PO Box 361
Warnerville, NY 12187**

City of Watertown:

Person to contact for billing questions

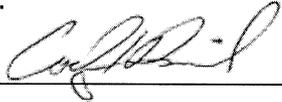
Phone Number

Tax Identification Number: _____

Billing Address: _____

Additional Information

The information that is contained in this proposal is copyrighted. The information may be confidential or proprietary. This proposal should only be reviewed by the intended recipient or a representative of that person. If the proposal is not accepted the original should be returned to Loomacres and all copies should be destroyed.

Loomacres Wildlife Management:	City of Watertown:
Name: Cody Baciuska	Name:
Title: President	Title:
Phone: 607-706-8748	Phone:
Signature: 	Signature: _____
Date: <u>October 19, 2012</u>	Date: _____

APPENDIX I

Cody Baciuska

Loomacres Wildlife Management, Inc.
cody@loomacres.com
607-760-8748

EDUCATION:

- **State University of New York, College of Agriculture and Technology at Cobleskill**
Bachelor of Technology Degree in Animal Science- Concentration Wildlife Management
Associate of Applied Science Degree- Concentration Fisheries and Wildlife Technology
- **State University of New York at Oneonta**
Graduate Coursework in Biology
Bachelors of Science Degree in Business Finance
In progress

WORK EXPERIENCE:

- **Loomacres Wildlife Management, Inc.**
President of Loomacres Wildlife Management. Loomacres provides wildlife and environmental consulting to the aviation industry, government agencies, municipalities, corporations and private individuals. Services range from wildlife and vegetation surveys to development and implementation of wildlife management plans. Loomacres also provides education and training to airport personnel involved in wildlife management.
- **United States Department of Agriculture, Wildlife Services**
Conducting wildlife surveys, habitat assessments, and wildlife hazard assessments on a number of airports throughout New York. Data collection, entry, analysis, presentation. Assisting in the development of wildlife management plans. Identifying and addressing, damage, disease, and potential human health and safety issues created by wildlife. Use of pyrotechnics, firearms and traps to haze and remove hazardous wildlife. Public relations and outreach and education.
- **National Audubon Society**
Operated 7 MAPS Bird Banding Stations, responsible for net setup, extracting birds, aging, sexing, banding, data recording and entry, and overall welfare of the birds captured in the nets. Also conducted point counts, breeding bird surveys, nest searching, and vegetation surveys.
- **Wetland Studies and Solutions**
Wetland restoration and mitigation, Planted a variety of trees and shrubs

LICENCES, TRAINING & CERTIFICATIONS:

- FAA Certified Airport Wildlife Biologist, NRA Certified Firearms Instructor -Airport Driving Cert., FAA Approved Wildlife Biologist Training, - NYS Pistol Permit, -NYS Wildlife Control Permit, -NYS Hunting and Trapping License, Boater Safety Cert

PROFESSIONAL MEMBERSHIPS:

- *2009-present*, President of NYS Wildlife Management Association
- *2007- 2009*, Director of NYS Wildlife Management Association
- *September 2002- January 2003*, Secretary of the SUNY Cobleskill chapter of The Wildlife Society
- *January 2003- May 2003*, Vice President of the SUNY Cobleskill chapter of The Wildlife Society

Kristin M. Baciuska

(518) 542-6305

kristin@loomacres.com

EDUCATION: State University of New York College at Oneonta

Oneonta, NY 1382

MS Graduate Program in Biology

State University of New York, College of Agriculture and Technology at
Cobleskill, Cobleskill, NY 12043

Bachelor of Technology Degree in Plant Science- Conc. Environmental Studies

PROFESSIONAL WORK EXPERIENCE:

- **Loomacres Wildlife Management Inc.**

July 2005-Current

President & FAA Qualified Airport Wildlife Biologist working primarily on Airport Wildlife Hazard Assessments, Wildlife Hazard Management Plans, Training, Data Collection and Vegetation Surveys.

- **State University of New York- Oneonta, NY**

October 2008-August 2010

Part time Research Assistant. Worked on a FAA funded grant project titled "Native & Naturalized Turf Species Suitable for Use On Airports Managed for Wildlife Hazards" This work is fulfilling a Master's Thesis Requirement.

- **State University of New York –Oneonta, NY**

September 2007-February 2009

Part time Research Assistant. Organize collected plant specimens in college herbarium and prepared them for mounting and submission to the NYS Museum and other collections. Plant collection, ID and database creation and entry.

- **USDA Animal Plant Health Inspection Service Wildlife Services- Castleton, NY**

October 2004 to July 2005

GS-05 Biological Science Technician Wildlife. Used techniques including pyrotechnics to haze avian species on airports, landfills and in urban areas. Avian and Mammalian Surveys, trapping and database entry. Operated West Nile Virus Hotline. Administrative assistance.

PRESENTATIONS:

- USA/Canada Birdstrike Conference 2010 Salt Lake City, Utah (Speaker)
- Wildlife Management Workshop, Saratoga NY (Poster Presentation)
- USA/Canada Birdstrike Conference 2007,2008 & 2009 (Poster Presentation)

PUBLICATIONS:

- Baciuska, K. (2010) Native and Naturalized Turf Species Suitable for Use on Airports Managed for Wildlife in the Northeastern US. *State University of New York College at Oneonta. Master's Thesis*

CERTIFICATES/LICENCES:

- FAA Qualified Airport Wildlife Biologist 2009
- NYSDEC Commercial Pesticide Applicator 2008
- Embry Riddle Wildlife Hazard Management Workshop-2010
- Rutgers Wetland Delineation Certificate Series 2008

Garrett M. Grilli

Loomacres Wildlife Management
Wildlife Biologist

E-mail: garrettgrilli@loomacres.com

EDUCATION

State University of New York at Cobleskill
Bachelor degree in Wildlife Management
Recipient of the Outstanding Senior in Wildlife Management Award, 2008
GPA- 3.5

PROFESSIONAL FIELD EXPERIENCE

Avian:

Airport Wildlife Hazard Management & Surveys
Bird identification by sight and sound
Mist netting and banding song birds (handling >100 birds)
Anatomy and physiology
Waterfowl capturing, handling, and banding (handling several hundred birds)
Sexing and aging of waterfowl (ducks and Canada Geese)
Radio-telemetry (Wild Turkeys and Ring-necked Pheasants)
Live-trapping, handling, and banding of Ruffed Grouse (1 field season)
Time-activity budgets of ducks
New York State Waterfowl Hunting/Identification Certification
Egg oiling (Canada Geese)
Nest searching and monitoring

Mammalian:

Airport Wildlife Hazard Management & Surveys
Trapping and handling of: small mammals, coyotes, & black bears
Track Plate boxes
Motion-activated camera use
Radio-telemetry (black bears, and coyotes)
Identification by tracks and scat
Deer aging
Distance deer Surveys

General:

GIS	Invasive plant species removal
GPS	Backpacking and Orienteering
Microsoft Office database	Environmental education
- Excel and Access	Wetland delineation
Firearms Safety & Handling	Airfield Driving & Security
Canoeing and Kayaking	Water quality surveys
Vegetation Sampling	Woody plant identification
CPR certified	Wilderness First Aid certified
Trail work	4WD vehicle and ATV operation

**CITY COUNCIL WORK SESSION
CITY OF WATERTOWN
September 12, 2011
7:00 P.M.**

MAYOR JEFFREY E. GRAHAM PRESIDING

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

ALSO PRESENT: **MARY M. CORRIVEAU, CITY MANAGER**

City staff present: Kurt Hauk, Elliott Nelson, Ken Mix, Jim Mills, Chief Goss, Chief Herman, Shawn Mc Wayne, Eugene Hayes

Presentation:

Interoperable Communications Grant Update - Mark Hoppe, Blue Wing

Chief Dale Herman introduced Mark Hoppe, Principal Consultant of Blue Wing and stated Blue Wing was hired one year ago to assist in the Interoperable Ability Grant. In addition, Chief Goss and Joseph Plumber, Jefferson County Fire and Emergency Management Director were present for this presentation.

Mark Hoppe wanted to thank the Council for the opportunity to work on this project and commended Chief Goss and Chief Herman for their assistance. Blue Wing's goal was to design a system to benefit the City of Watertown and surrounding areas today and throughout the future. Mr. Hoppe reviewed Blue Wing's history, methodology, and recent projects.

Blue Wing's plan for Jefferson County was to start researching the existing system. They developed an understanding of the current equipment, towers, operations and resources available before formulating the design alternatives. The 1.6 million dollar budget is not sufficient to provide a county wide system. The long range plan is to provide the foundation and give long term direction. Therefore if all the goals cannot be accomplished, it is set up for the future so that as more funding is available additional improvements can be made to this system

The systems review revealed an aged radio system with multiple types/vintage equipment as well as various sites with wide range of development and installation methods. The goal should be to be more cohesive with reduced number of sites and have common user equipment. The Dispatch

Council Member Butler stated that ZBA will only interpret the code as written in black and white. He does not feel this process will work. He suggested that Council try speaking with the owner of 157 Haley Street.

Mayor Graham was agreeable to this and will try to speak to the property owner.

3. Demolition of City Owned Properties

Reports on two city owned properties, 522 Mohawk Street and 111 South Orchard Street, were presented to Council for review by Shawn McWayne, Code Enforcement Supervisor. Both properties were recommended for demolition.

Council approved these properties for demolition. Mrs. Corriveau reminded Council that a 3rd property, 1 Boyd Place, had already been approved for demolition as well.

4. Crow Hazing Options

Mr. Nelson discussed his report with Council and summarized the three options available to the City.

Council Member Macaluso asked if the private organization could provide training to the City employees as well.

Council Member Smith asked Mr. Nelson to confirm the total cost of Option 1 if the employees were trained and if this would be overtime.

Mr. Elliot said the hope is not to use overtime.

Council Member Butler mentioned that the hazing is done in the evening.

Mrs. Corriveau stated that hazing would be done in the evening depending on weather during the plowing shift.

Council Member Smith thought USDA was more long term and most efficient.

Council Member Burn stated that there was not much participation by City employees and felt Option 3 was more cost effective.

Council Member Butler questioned how many nights were involved and Mr. Elliot stated the quote is for 5 nights with additional hours if needed.

Mrs. Corriveau stated that Loomacres Wildlife Management in Option 3 offers a phone tree in which residents can call in and report sightings of crows. This would decrease the amount of time used to find the crows.

Council Member Burns mentioned that Loomacres Wildlife Management offers a Public Relations aspect.

Council Member Butler mentioned that Loomacres Wildlife Management might offer education to the public in regards to devices available for use similar to the one Council Member Smith uses.

Council Member Smith explained that the device has a flashing light and sends sonic waves. He thought that it was quite effective.

Council Member Smith asked if Loomacres Wildlife Management uses lethal means and Mr. Elliot responded that it does not use lethal means.

Council Member Burns mentioned that Loomacres Wildlife Management had a good track record at the Airport and other areas within Jefferson County.

Mrs. Corriveau explained that this would be professional services and once it reaches a certain threshold, the City needs to get quotes for those services. Her staff is working on this and she will report back to Council once finalized.

Work Session ended at 9:08 pm

Ann Saunders
Deputy City Clerk



LOOMACRES
Wildlife Management

July 9, 2012

Elliott B. Nelson
245 Washington Street, Suite 302
Watertown, NY 13601

Dear Mr. Nelson,

Below you will find a summary of our efforts during the 2011-2012 crow management program.

Loomacres Wildlife Management Inc. conducted crow harassment from December 2011 through March 2012 in the city of Watertown, New York. The harassment was in response to the thousands of American crows that were roosting in the city's residential and commercial areas. These birds produced undesirable conditions for city residents. Some of these conditions included the loud calls of the birds as they congregated, as well as the fecal matter produced by the flocks in their roosting locations.

When harassment commenced in December, initial estimates had as many as 20 to 30 thousand crows using the city's center as a roosting area. Most of these birds were observed congregating in one main group near the river in the center of town. Loomacres harassed these birds for several nights from this location, effectively breaking the flock up and dispersing it throughout the surrounding areas. On subsequent visits, staff would further this desired flock breakup with additional harassment actions throughout the city. Loomacres personnel used pyrotechnics, lasers, distress calls, and other methods to make crows leave city roosting areas. Staff fielded phone calls and emails from city residents on a nightly basis to help locate problem flocks of the black birds. By the time harassment efforts wrapped up in March 2012, the estimated number of crows attempting to use the city to roost, was less than 3,000 birds. The remaining crows were spread out in smaller flocks of several hundred, reducing the negative effects they had on residents and their property.

Overall, the crow harassment operations were viewed as a success in Watertown, NY. The goals of reducing overall flock size and creating smaller groups of roosting birds were attained with great success. Public participation in the reporting efforts helped to establish an overall positive perception of the effects the harassment had on the city's crows. American crows are a very intelligent bird, so future harassment efforts may need to include limited lethal control and crow effigies, so as to avoid the birds becoming habituated to common methods of harassment. Control of the roosting crows in the city will most likely need to continue in coming winters to avoid similar problems to pre-harassment times.

Total Number of Pyrotechnics Fired: 245

"Bringing Wildlife Management To A Higher Level"

Loomacres Wildlife Management • P.O. 361 • Warnerville, NY 12187

Ph: 800-243-1462 • Fax: 518-618-3129 • www.loomacres.com

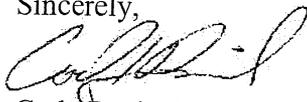
E-mail: info@loomacres.com

Total Number of Laser/Distress Deterrents Used: 51

We believe that the crows will continue to be an issue in the future. Loomacres recommend that the city continue to aggressively manager the crow population. In the future we would like to implement additional control strategies including the use of paint-ball markers and effigies. It is important to utilize a diverse set of tools in order the reduce acclimation to any individual technique.

Thank you, for the opportunity to work with the City of Watertown. I hope that you will find this information useful. If you have any questions or would like additional information please do not hesitate to contact me.

Sincerely,



Cody Baciuska
Wildlife Biologist

Res No. 2

October 30, 2012

To: The Honorable Mayor and City Council

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

Subject: Adopting Guidelines and Administrative Procedures for the HOME Repair Program

On October 15, 2012, the City Council approved the HOME Investment Project Agreement between the City of Watertown and the Development Authority of the North Country for funds from the North Country HOME Consortium to operate a City-wide housing rehabilitation program. Guidelines and Administrative Procedures must be adopted to implement the program.

Enclosed with each City Council Member's Agenda Package is a copy of the proposed Guidelines and Administrative Procedures for the City of Watertown's HOME Repair Program. The appendixes have not been included but are available upon request. The Guidelines are similar to those that have been approved in the past with a few changes.

The most significant change is that the eligibility requirements in Section 3.1 have been modified to limit assistance to properties that are identified as substandard and "at risk" due to code violations and other problems that are an immediate threat to the integrity of the structure or the health and safety of the occupants. It was decided to concentrate on the worst cases, because of the limited funding and it made our application more competitive.

Also, Section 6 has been modified to include basic requirements for the leases on any rental apartments that are assisted under this program. Other changes are minor alterations to the forms.

A resolution has been prepared for City Council consideration that adopts the Guidelines and Administrative Procedures for the HOME Repair Program.

RESOLUTION

Page 1 of 1

Adopting Guidelines and Administrative Procedures for the HOME Repair Program

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

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown has received HOME Funding from the North Country HOME Consortium to support a City-wide rehabilitation program for owner-occupied 1-4 family properties, and

WHEREAS the City has agreed to administer the program in compliance with the rules and regulations established by HUD and published in the Code of Federal Regulations at 24CFR Part 570, and

WHEREAS guidelines and administrative procedures have been drafted as required to govern the operation of the HOME repair program,

NOW THEREFORE BE IT RESOLVED the proposed Guidelines and Administrative Procedures are hereby adopted and shall become effective immediately for all housing rehabilitation activities conducted with HOME Funding provided by the North Country HOME Consortium for program years 2012 and 2013.

Seconded by

CITY OF WATERTOWN

HOME REPAIR PROGRAM

GUIDELINES

AND

ADMINISTRATIVE PROCEDURES

ADOPTED BY THE CITY COUNCIL
November 5, 2012

JEFFREY E. GRAHAM
MAYOR

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Funding for this program has been provided by a grant from the U.S. Department of Housing and Urban Development under the HOME Investment Partnerships Program. These Guidelines and Procedures have been prepared in compliance with Rules established by HUD and published in the Federal Register at 24 CFR Part 570. The City of Watertown acknowledges and understands that these Guidelines and Procedures are and shall remain the sole property of Avalon Associates, Inc. for the exclusive use of that company while administering the local HOME Repair Program under contract to the city. Any other use of these materials without the express written consent of Avalon Associates, Inc. is illegal and unauthorized.

**CITY OF WATERTOWN
HOME REPAIR PROGRAM**

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CITY OF WATERTOWN

HOME REPAIR PROGRAM

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CITY OF WATERTOWN
HOME REPAIR PROGRAM
PROGRAM GUIDELINES

1.0 GENERAL PROVISIONS

1.1 Statement of Purpose

The purpose of this program is to improve neighborhood conditions in Watertown by promoting repair and rehabilitation of the local housing stock. The primary objective is to eliminate conditions that might become hazardous to the health or safety of local residents. Tests will be conducted to identify radon gas and lead-based paint hazards; and those problems will be addressed in each property where work is completed under this program. Energy conservation improvements, historic preservation and other necessary repairs will be encouraged whenever work is completed under this program.

Technical assistance will be provided to help property owners identify eligible improvements in their residential properties, to help determine the best way to complete the necessary improvements, to help find local contractors who can perform that work, and to assure that all rehabilitation activities are completed in a satisfactory manner in compliance with applicable local, state and federal regulations.

Financial assistance will be available to help qualified applicants pay the cost of eligible improvements that are completed under this program. That financing will be in the form of deferred payment loans that will not be repaid if the applicant complies with all program guidelines for a period of five years after the work is completed on their property. Other restrictions, including sale and occupancy and rent limitations, will also apply during that five year regulatory period.

1.2 Target Area

The entire City of Watertown is the Target Area for this program. HOME financing will be available to pay for qualified rehabilitation improvements in any owner-occupied 1-4 family property in the city that satisfies the eligibility requirements detailed in Section 3 of these guidelines.

1.3 Organization and Authority

The HOME Repair Program in Watertown has been organized to assure that available federal funds are used in a cost-effective manner to accomplish the objectives of the program within the guidelines and procedures established by the city and in compliance with applicable federal, state and local regulations. Overall program organization is detailed in this section with an outline of the responsibilities and authority delegated at each level.

a. City Council

The City of Watertown has accepted federal funding to support the local HOME Repair Program and agreed to comply with all applicable rules and regulations that are imposed by the U.S. Department of Housing and Urban Development. Specific responsibilities and authority for administration of the program have been delegated in these guidelines. However, the city retains overall responsibility for the program, including the actions of individual employees and consultants who may be involved in these activities. All questions or decisions for which authority has not been specifically delegated in these guidelines must be referred to the City Council for official action.

b. Project Review Committee

A Project Review Committee shall be established to include not fewer than three nor more than five individuals who are named by and serve at the pleasure of the City Manager.

The Project Review Committee is authorized to interpret these guidelines and determine how they will be applied in special cases, provided that no such interpretation or decision conflicts with another section of the guidelines or violates any federal, state or local regulation that applies to these activities.

All questions regarding eligibility for assistance under this program shall be decided by a majority vote of the Project Review Committee with the recommendation of the Program Coordinator.

All financial assistance and any modification of the HOME loans (eg: for necessary change orders permitted under Section 12.6) must be approved by a majority vote of the Project Review Committee with a specific request from the property owner and the recommendation of the Program Coordinator.

c. Program Coordinator

The Program Coordinator is responsible for day-to-day administration of the program including maintenance of project files, collection of all documentation, determination of eligible improvements, preparation of work writeups, review of contractor proposals and inspection of work in progress. This broad responsibility is offset by strict limitations of authority, as outlined below:

i. Control of the Work:

The Program Coordinator does not decide which items of work will be done or which contractor will be hired for that purpose. Those decisions and all others related to the rehabilitation improvements must be made by each property owner. However, the Program Coordinator must work with the property owner to assure that such decisions will comply with the local program guidelines; and no activities will be permitted without the approval of the Program Coordinator.

ii. Funding Decisions:

The Program Coordinator cannot approve HOME loan financing or modify the awards made by the Project Review Committee. However, all such decisions must be reviewed by the Program Coordinator to assure that they will comply with the local program guidelines; and no decisions will be made without the recommendation of the Program Coordinator.

iii. Payments:

The Program Coordinator cannot authorize payments for any of the work completed under this program. All payments must be authorized by the property owner and approved by the City Comptroller. However, all such payments must be reviewed by the Program Coordinator to assure that they are proper, that the work has been satisfactorily completed, and that payment will not violate the local program guidelines. No payment will be considered by the Comptroller without review and recommendation by the Program Coordinator.

2.0 DEFINITIONS

This section provides definitions for various terms used in connection with the HOME Repair Program in the city of Watertown. When these terms are capitalized in the text of this document, they shall have the meaning and definition detailed here.

- a. **Affordable Rent** - the maximum rent that can be charged for a rental apartment after assistance is provided under this program. The current rent limits are listed in APPENDIX A based on the HUD Section 8 Housing Choice Voucher Program.
- b. **Building Codes** - standards established in the New York State Uniform Fire Prevention Code, the New York State Building Code and local building codes for existing construction.
- c. **Deferred Payment Loan** - the form of HOME financing that is available under this program. HOME funds will be advanced to pay the cost of Eligible Improvements subject to a lien that is placed on the property and secured by a note & mortgage that is recorded in the County Clerk's office. No payment will be required as long as the property owner complies with all requirements of the program; and each loan is converted to a grant after a five year regulatory period.
- d. **Elderly Household** - a household where the head (or spouse) is 62 years of age or older.
- e. **Eligible Cost** - the total cost of eligible improvements minus any Excess Cost as defined in subparagraph g. of this Section 2.0.
- f. **Eligible Improvements** - rehabilitation activities that are necessary to eliminate code violations and other health and safety problems, to complete energy-related improvements, and to do other work that is required to address problems in a Residential Property.
- g. **Excess Cost** - rehabilitation cost that cannot be considered for assistance under this program, including:
 - (1) the cost of ineligible improvements (see Section 4.5);
 - (2) the cost of required improvements in housing units that are occupied by households that are not Lower Income;
 - (3) the cost of required improvements in non-residential portions of eligible properties; and
 - (4) the extra cost incurred when the property owner selects a contractor who was not the low bidder for their project.

- h. Historic Preservation Standards** - guidelines for rehabilitation of historic properties based on "The Secretary of the Interior's Standards for Rehabilitation" (see APPENDIX E).
- i. HOME** - the HOME Investment Partnerships Program administered by the Development Authority of the North Country (DANC) under contract with Jefferson County, the lead agency for the North Country HOME Consortium, which is the participating jurisdiction that has received the HOME funding from the U.S. Department of Housing and Urban Development.
- j. Household Income** - the total annual income for all adult members of the household (including salary or wages, interest, dividends, alimony, social security, pensions, annuities, unemployment or disability benefits, net business or rental income, etc.).
- k. HUD** - the U.S. Department of Housing and Urban Development, the federal agency providing funding for this program.
- l. Income Limits** - The income limits specified in APPENDIX A (based on the latest medians established by HUD). Income Limits are adjusted by family size within the following categories:

 - Very Low Income** - Household Income that is not more than 50% of the statewide non-metropolitan median.
 - Low Income** - Household Income that is more than 50% but not more than 60% of the statewide non-metropolitan median.
 - Moderate Income** - Household Income that is more than 60% but not more than 80% of the statewide non-metropolitan median.

Collectively, these households are referred to as **Lower Income**. Households with income that is more than 80% of the statewide non-metropolitan median are not Lower Income.
- m. Lead-Based Paint Regulations** - the rules established by HUD and published in the Code of Federal Regulations at 24 CFR Part 35 detailing special procedures to ensure that housing receiving federal assistance for rehabilitation activities does not pose lead-based paint hazards to young children (see APPENDIX B).
- n. Minimum Owner Contribution** - funds that must be contributed by the applicant to cover any Excess Cost, as defined in subparagraph g. of this Section 2.0.

- o. **Mixed-Use Property** - a building occupied by business(es) and residential unit(s).
- p. **Owner-Occupied Property** - a Residential Property that is occupied by the property owner as a primary residence.
- q. **Program Coordinator** - the individual or agency designated by the city to administer the HOME Repair Program.
- r. **Project File** - the file maintained by the Program Coordinator including all forms and documentation for each case that is processed through the HOME Repair Program.
- s. **Project Review Committee** - the Committee appointed by the City Manager to review all applications for assistance under this program. The Project Review Committee will interpret these guidelines and approve all financial assistance provided under the program.
- t. **Rehabilitation Standards** - guidelines for rehabilitation of 1-4 unit structures adapted by the North Country HOME Consortium from a model developed by the National Center for Lead-Safe Housing (see APPENDIX C).
- u. **Rent Limit** - the maximum rent that can be charged for apartments that are rehabilitated with assistance under this program. That rent (including an allowance for the cost of utilities paid by the tenant) may not exceed the limits specified by HUD for the Section 8 Housing Choice Voucher Program (see rent limits in APPENDIX A).
- v. **Residential Property** - a building with at least one residential unit. Mixed-Use Property is considered Residential Property.
- w. **SHPO** - the State Historic Preservation Office, which identifies properties that are eligible for inclusion on the National Register of Historic Places for which Historic Preservation Standards must be followed (see APPENDIX E).
- x. **Target Area** - the area where assistance may be provided under this program as detailed in Section 1.2 and APPENDIX A.

3.0 ELIGIBILITY FOR ASSISTANCE

3.1 General Eligibility

Assistance is available under this program to help pay the cost of eligible improvements in owner-occupied 1-4 family properties that are identified by the Program Coordinator to be substandard and “at-risk” due to code violations, lead-based paint hazards, asbestos, radon, indoor air quality problems or other problems that are an immediate threat to the health and safety of the occupants. All applications for assistance must be filed by the property owner with the following documentation:

- a. Proof of ownership in the form of a deed that is recorded in the office of the County Clerk;
- b. Proof of income for each household occupying the property;
- c. Proof of payment of real estate taxes and any local service charges (eg: water & sewer) that are currently due for all properties owned by the applicant in the City of Watertown; and
- d. Proof of adequate hazard insurance (incl. flood insurance if applic.).

Income documentation need not be provided for any housing unit where no work will be done or no financial assistance is being requested.

3.2 Eligibility for HOME Assistance

HOME loan assistance is available to help pay the cost of Eligible Improvements in housing units that are occupied by households who qualify as Lower Income (see Income Limits in APPENDIX A).

Vacant apartments will be eligible for assistance if the property owner agrees to rent those units to Lower Income households with rents that do not exceed the limits for the HUD Section 8 Housing Choice Voucher Program.

HOME loan assistance cannot be provided for improvements in housing units occupied by households that are not Lower Income.

3.3 FHA Mortgage Limits

HOME loan assistance may not be provided for any property that will have an estimated value (after rehabilitation) that exceeds the Mortgage Limits established by HUD for FHA financing under Section 203(b) of the National Housing Act (12 USC 1709(b)).

3.4 Income Targeting

To the extent possible, the assistance that is available under this program will be targeted to the lowest income property owners so this limited resource will be used where it is needed most. The selection criteria that are detailed in Section 5.5 will be used to choose applicants when multiple preapplications have been received for which all of the required eligibility documentation is available in the Project Files. When those selection criteria are being applied, every effort will be made to accomplish the following distribution of funding for the program as a whole:

- a.** At least 50% of the HOME financing that is available for this program will go to applicants whose Household Income is not more than 50% of the HUD-Adjusted Median Family Income (HAMFI) for non-metropolitan areas in New York State. Those Very Low Income households will receive first priority for assistance under this program.
- b.** At least 50% of the financing that is available for applicants who are not Very Low Income will go to applicants whose Household Income is not more than 60% of the HUD-Adjusted Median Family Income (HAMFI) for non-metropolitan areas in New York State. Those Low Income households will receive second priority for assistance under this program.

4.0 ELIGIBLE IMPROVEMENTS

4.1 Priority 1: Health & Safety Improvements

Generally, Priority 1 improvements are those work items necessary to make the property safe and bring it into compliance with applicable Building Codes. When any financial assistance is provided under this program, the scope of work for that project must include all Priority 1 improvements needed in the property. Those items include the following:

- a. **Code Compliance** - any work items required to comply with the New York State Uniform Fire Prevention Code, the New York State Building Code and all local codes for existing construction.
- b. **Rehabilitation Standards** - any work items required to comply with the guidelines for rehabilitation of 1-4 unit structures as detailed in APPENDIX C of these guidelines.
- c. **Plumbing Systems** - any work items required to comply with the New York State Uniform Fire Prevention and Building Codes.
- d. **Electrical Wiring** - any work items required to comply with the guidelines for rehabilitation of 1-4 unit structures as detailed in APPENDIX C of these guidelines.
- e. **Heating Systems** - installation or upgrading heating systems to maintain a temperature of 68 degrees F. (75 degrees F. for Elderly).
- f. **Structural** - repair or replacement of any defective structural elements, including: porches, foundations, support columns, bearing walls, roofs, subflooring, masonry, etc.
- g. **Windows & Doors** - repair or replacement of damaged windows or doors as required to assure comfort and safety and security.
- h. **Stairs and Platforms** - repair or replacement of any elements of stairs or platforms that might create hazardous conditions.
- i. **Lead-Based Paint** - removal of lead-based paint hazards.
- j. **Radon Gas** - work required to eliminate hazardous concentrations of radon gas in the structure.
- k. **Warning Systems** - all residential units must be equipped with adequate smoke detectors and carbon monoxide detectors.

4.2 **Priority 2: Energy Related Improvements**

Energy conservation and weatherization improvements are eligible for assistance only if all conditions that might lead to health or safety problems (Priority 1) are being corrected, or if none exist. Some of this work can be completed by the local Weatherization Assistance Program or NYSERDA through the EmPower New York Program; and all cases should be referred to those agencies in order to maximize the funding available for each project and to avoid duplication of efforts. Any energy related improvements that cannot be funded by the Weatherization Assistance Program or NYSERDA can be considered as Priority 2 improvements under this program.

a. **Weatherization Referral:**

The Weatherization Assistance Program in Jefferson County is administered by the Community Action Planning Council of Jefferson County (CAPC) from offices in Watertown. That agency will accept referrals and place those applicants on its waiting list. Priority is given to lower income home owners who are elderly or handicapped and families with small children. Special consideration can also be given to applicants who are without heat and to other referrals from the Department of Social Services.

b. **EmPower New York Referral:**

Applicants who are eligible under the Weatherization Assistance Program will also qualify for energy related services under the EmPower New York Program, which can pay for new energy-efficient appliances and insulation in order to reduce energy usage and cost to these lower income households. Any energy related improvements that cannot be funded by EmPower New York can be considered as Priority 2 improvements under this program.

c. **Energy Audit:**

An energy audit should be conducted on each property where improvements are to be completed with CDBG financing under this program. When assistance is also being provided through the Weatherization Assistance Program, staff from CAPC will perform that audit. Contractors who are certified by the Building Performance Institute (BPI) can provide energy audits if they have the required training and equipment (eg: for blower door testing, furnace or boiler testing, appliance testing, etc.). They may be contracted for this service if an energy audit cannot be secured from the Weatherization Assistance Program in a timely manner.

4.3 Priority 3: Other Necessary Improvements

The following improvements are eligible for assistance only if all conditions that may lead to health and safety problems (Priority 1) and energy conservation and weatherization improvements (Priority 2) are being corrected, or if none exist.

- a. **Exterior Protection** - repair of and painting or covering of exterior surfaces, except existing wood siding and trim may not be covered with aluminum or vinyl unless no cost-effective alternative exists.
- b. **Exterior Wood Surfaces** - repair of damaged or deteriorated exterior wood surfaces, including siding, trim around windows and doors, roof fascia and cornices, porches (including supports, decks, steps and railings), etc. All rotted or broken materials should be replaced with similar materials milled and shaped to match the existing.
- c. **Interior Walls and Ceilings** - repair or covering of interior walls and ceilings that are damaged or deteriorated. Use of vapor barrier paints is encouraged to prevent moisture condensation within walls and ceilings adjacent to unheated spaces.
- d. **Floors** - repair of damaged or deteriorated floors and replacement of floor coverings that have worn out and cannot be maintained.
- e. **Kitchen Equipment** - repair or replacement of cooking equipment, refrigeration equipment, and work and storage areas if the existing facilities are missing, inadequate or inoperable.
- f. **Bathroom Fixtures** - repair or replacement of bathroom fixtures, including bathtub (or shower), toilet, sink and medicine cabinet and waterproof surfaces to prevent water damage to adjacent areas.
- g. **Exterior Walkways** - repair or replacement of existing paved walkways between the structure and the street, driveway or a public sidewalk adjacent to the property. The sidewalk may be repaired or replaced if necessary to eliminate existing hazardous conditions.
- h. **Utility Laterals** - repair or replacement of existing water, sewer or gas laterals provided that such work is limited to the section of lateral that is the responsibility of the property owner.
- i. **Additions** - with special approval by the Project Review Committee, expansion into existing unfinished space (eg: in attics or porches) that is required to eliminate overcrowding or address special needs of the occupants in an eligible housing unit.

4.4 Applicable Standards

The following standards will apply to all properties where work is to be done with assistance under the HOME Repair Program.

- a. **Code Compliance** - when the rehabilitation work is completed, each property must comply with all applicable codes, including the New York State Uniform Fire Prevention Code, the New York State Building Code and all local codes and ordinances.
- b. **Lead-Based Paint** - any activities that disturb painted surfaces must comply with the regulations at 24 CFR Part 35 unless the property is exempt or the work qualifies under the de minimis limitations detailed in those regulations (see APPENDIX B).
- c. **Energy Conservation and Green Rehabilitation** - an energy audit should be conducted for each project that is considered for assistance under this program; and all rehabilitation work should follow that audit and the Green Rehabilitation Plan that has been developed for the City of Watertown (see APPENDIX C).
- d. **Rehabilitation Standards** - the guidelines in the Rehabilitation Standards for 1-4 Family Structures produced by the North country HOME Consortium are the minimum standards for all work to be completed with assistance under this program (see APPENDIX D).
- e. **Historic Preservation** - properties identified by the State Historic Preservation Office as having historic, architectural or cultural significance will be rehabilitated in accordance with the Secretary of Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" (see APPENDIX E).

4.5 Ineligible Improvements

The following improvements are not eligible for financial assistance under this program. They may be included in a project only if the property owner contributes cash to pay the full cost of this work. HOME funds may not be used to pay for ineligible improvements.

- a. Replacement of any building systems, fixtures or equipment that are determined by the Program Coordinator to be adequate.
- b. Expansion of or addition to existing structures (including expansion into non-living space) unless required to eliminate overcrowding.
- c. Conversion of non-residential space to residential use.
- d. Subdivision of existing space into additional dwelling units.
- e. Rehabilitation of existing space that is not a legal dwelling unit.

4.6 Contract Method

Generally, rehabilitation activities will be completed by local tradesmen working under contract to the property owner based on a detailed work writeup that has been prepared by the Program Coordinator and approved by the property owner, as follows:

- a. All contractors, and any subcontractors who they retain for this work, must be approved by the Program Coordinator as qualified to participate in this program.
- b. A statement of Contractor Qualifications (Form 117) must be filed for each contractor or subcontractor before any contract is made for work to be completed under this program.
- c. Each contractor or subcontractor must provide proof of adequate insurance coverage and must maintain such coverage as long as any work is being performed under this program.
- d. The property owner will decide which contractors are invited to submit proposals and may select any qualified contractor for the work to be performed under this program. However, financial assistance will be calculated based on the lowest cost from all acceptable proposals received for that work.

4.7 Self-Help Method

The property owner may provide the labor for some or all of the improvements to be made with assistance under this program subject to the following conditions:

- a. The Program Coordinator must be satisfied that the owner can complete the work in a competent manner and on a timely basis.
- b. The Eligible Cost will be limited to the actual cost of materials used in the job with no allowance for labor by the owner or others.

4.8 Combination Self-Help & Contract Method

The property owner may choose to combine the self-help and contract methods with some work items performed by contractors and others by the property owner. In that case, however, all self-help work must be completed before any HOME funds are advanced and before any contractor is permitted to begin working in the property.

5.0 FINANCIAL ASSISTANCE

HOME financing will be available to pay the cost of Eligible Improvements in owner-occupied 1-4 family Residential Properties that have been identified as substandard and are occupied by households that qualify as Lower Income. The current Income Limits are listed in the chart in APPENDIX A. Those figures are adjusted annually based on the median incomes calculated by HUD.

Applications will generally be considered when all of the required eligibility documentation is provided. However, since the available funds are limited, preference will be given to those applicants who demonstrate special needs in terms of housing deficiencies or the resources they have to deal with those problems.

HOME financing may not be provided for improvements in residential units occupied by households that do not qualify as Lower Income or in the non-residential portion of eligible properties, including garages, storage sheds or other outbuildings. However, improvements may be needed in those areas to satisfy the requirements of Section 4.1 or 4.4; and that work must be completed if any assistance is provided under this program. But the cost of that work will be Excess Cost which is included in the Minimum Owner Contribution required by Section 5.4 of these guidelines.

5.1 Deferred Payment Loans

Deferred payment loans will be available to help pay the cost of Eligible Improvements up to a maximum of \$25,000 for each housing unit. Loan repayments will be deferred as long as the owner continues to occupy the property as their primary residence and satisfies all other requirements of the program. If the owner moves, or the property is sold within five years, the seller must immediately repay a portion of the HOME loan, as follows:

- a. 100% of the loan must be repaid if the property is sold or the owner moves within one year after the date of the final payment;
- b. 80% if the property is sold or the owner moves more than one year but within two years after the date of final payment;
- c. 60% if the property is sold or the owner moves more than two years but within three years after the date of final payment;
- d. 40% if the property is sold or the owner moves more than three years but within four years after the date of final payment; and
- e. 20% if the property is sold or the owner moves more than four years but within five years after the date of final payment.

This repayment obligation expires five years after the date of final payment if the owner has complied with all other requirements of the program.

5.2 Loan Calculation

For work to be performed by a contractor, HOME loans will be calculated on the basis of the lowest proposal submitted by a qualified contractor. The property owner may select any contractor who is qualified to work under the program subject to the provisions of Section 5.4.d.

For self-help work provided by the property owner, HOME loans will be calculated on the basis of the purchase price of the materials only.

5.3 Multiple Loans

Multiple HOME loans can be approved under this program. However, applications for additional assistance will only be considered after all other applications have been processed; and the total of all assistance may not exceed \$25,000 per housing unit.

5.4 Minimum Owner Contribution

The property owner may be required to contribute cash to the project if the cost of the work exceeds \$25,000 for any housing unit or the project includes any work that is not eligible for assistance under this program. The Minimum Owner Contribution must include any Excess Cost, as follows:

- a. the cost of ineligible improvements that are included in the project at the request of the property owner;
- b. the cost of improvements in apartments that are occupied by tenants who are not Lower Income when those improvements are required by Section 4.1 or Section 4.4 of these guidelines or when they are included in the project at the request of the property owner;
- c. the cost of improvements in the non-residential portion of Mixed-Use Properties when those improvements are required by Section 4.1 or Section 4.4 of these guidelines or when they are included in the project at the request of the property owner; and
- d. the extra cost that is incurred when the property owner selects a contractor who did not submit the lowest proposal for the final scope of work that is included in the project.

The Minimum Owner Contribution may not be reduced by financing from any other federal or state programs. The required owner contribution must be deposited with the city before any work can begin on the project.

5.5 Selection Criteria

Applications will be accepted at any time and considered when all eligibility documentation has been provided. Preference will be given to those cases where special needs are demonstrated, as follows:

- a. At least 50% of the financing assistance that is available under this program will be targeted to applicants whose Household Income is less than 50% of the median; and at least 50% of the remaining funds will be targeted to applicants whose Household Income is less than 60% of the median (see Income Limits in APPENDIX A).
- b. Properties with owners whose household income is fixed (eg: social security, retirement, disability, etc.) will be given preference over properties with owners whose income is from sources that could increase in the future.
- c. Preference may be given to properties that need emergency repairs to eliminate problems that are an immediate threat to the structural integrity of the building or the health and safety of the occupants.
- d. Preference may be given to properties with serious code violations if they are a threat to the integrity of the structure or the safety of the occupants. In those cases, all code violations must be addressed and other needed improvements should be included in the project.
- e. Properties where previous improvements have been made with federal or state assistance may be assisted under this program only after all other qualified applications on file have been considered.

5.6 Imminent Threat Situations

If unforeseen circumstances occur after work has commenced that are hazardous to the health or safety of the occupants or threatening to the structure, an increase in the HOME financing may be authorized by the City Manager on the recommendation of the Program Coordinator. In these cases, the HOME financing may exceed the limits established in Section 5.1 of these guidelines if required to eliminate the conditions that threaten the occupants or the structure. A change order, signed by the City Manager, must be included in the Project File with complete documentation of the circumstances that justify this action.

6.0 SPECIAL CONDITIONS

The following special conditions apply in all cases where HOME assistance is provided under this program.

6.1 Property Taxes

Before any assistance is approved under this program, all property taxes and other local charges (eg: water & sewer) must be paid for every property owned by the applicant in the City of Watertown.

6.2 Insurance

All properties assisted through this program must be insured. The applicant must provide proof of adequate liability and hazard insurance before any assistance can be approved. Flood insurance will also be required if the property is located within a 100 year flood plain.

6.3 Sale and Occupancy Limitation

Applicants must agree not to sell properties assisted under this program for a period of five years after rehabilitation work is completed. They must also agree to occupy the property as their primary residence during that five year period. If the owner moves, or if the property is sold within five years, the seller must immediately repay the outstanding balance of the HOME loan, as outlined below:

- a. 100% of the loan must be repaid if the property is sold or the owner moves within one year after the work is completed;
- b. 80% must be repaid if the property is sold or the owner moves more than one year but within two years after the work is completed;
- c. 60% must be repaid if the property is sold or the owner moves more than two years but within three years after the work is completed;
- d. 40% must be repaid if the property is sold or the owner moves more than three years but within four years after the work is completed; and
- e. 20% must be repaid if the property is sold or the owner moves more than four years but within five years after the work is completed.

This repayment obligation expires five years after the date of final payment if the owner has complied with all other requirements of the program.

6.4 Rent Limitation

If there are rental apartments in the property, the owner must agree to limit rents for a period of five years after the work is completed. The current Rent Limits are listed in APPENDIX A. Those limits are established by HUD for the Section 8 Housing Choice Voucher Program and revised annually to reflect the fair market rents for existing apartments in Jefferson County.

If an apartment is vacant when the project is approved, the property owner must agree to rent that apartment to a tenant who qualifies as Lower Income. When an apartment becomes vacant during the regulatory period after rehabilitation work is completed, that apartment must be rented to a tenant who qualifies as Lower Income.

This special condition will not be violated when a tenant's household income increases beyond the applicable Income Limit if that tenant qualified as Lower Income at the time the HOME financing was approved or at the time they moved into the apartment (whichever is later).

These requirements will be detailed in a note and mortgage that will be recorded in the office of the County Clerk establishing a lien on the property that will continue during the five year regulatory period.

If any apartment is rented to a tenant who does not qualify as Lower Income or the rent for any apartment (including an allowance for utilities paid by the tenant) exceeds the applicable Rent Limit, the property owner must repay a portion of the HOME loan, as follows:

- a. 100% of the loan must be repaid if the rent limitation is violated within one year after the work is completed;
- b. 80% must be repaid if the rent limitation is violated more than one year but within two years after the work is completed;
- c. 60% must be repaid if the rent limitation is violated more than two years but within three years after the work is completed;
- d. 40% must be repaid if the rent limitation is violated more than three years but within four years after the work is completed; and
- e. 20% must be repaid if the rent limitation is violated more than four years but within five years after the work is completed.

This rent limitation expires five years after the date of final payment and no repayment will be required if the property owner has satisfied all other terms of their Project Agreement.

6.5 Lease Requirements

Apartments that are rehabilitated with assistance under this program must be rented with leases that are written for a term of not less than one year. Those leases must comply with the federal regulations at 24CFR92.253 and may not include any of the following terms or provisions:

- a. Agreement by the tenant to be sued, to admit guilt, or to a judgement in favor of the owner in a suit brought in connection with the lease.
- b. Agreement by the tenant that the owner may take, hold, or sell personal property of the household members without notice to the tenant and a court decision on the rights of the parties. This prohibition, however, does not apply to an agreement by the tenant concerning disposition of personal property remaining in the housing unit after the tenant has moved out of the unit. The owner may dispose of this personal property in accordance with state law.
- c. Agreement by the tenant not to hold the owner or the owner's agents legally responsible for any action or failure to act, whether intentional or negligent.
- d. Agreement by the tenant that the owner may institute a lawsuit without notice to the tenant.
- e. Agreement by the tenant that the owner may evict the tenant or household members without instituting a civil court proceeding in which the tenant has the opportunity to present a defense, or before a court decision on the rights of the parties.
- f. Agreement by the tenant to waive any right to a trial by jury.
- g. Agreement by the tenant to waive their right to appeal, or to otherwise challenge in court, a court decision in connection with the lease.
- h. Agreement by the tenant to pay attorney's fees or other costs even if the tenant wins in a court proceeding by the owner against the tenant. The tenant may be obligated to pay the costs if the tenant loses.

In addition to the prohibited lease terms outlined above, an owner may not terminate the tenancy or refuse to renew the lease of a tenant of rental housing assisted under this program except for serious or repeated violation of the terms and conditions of the lease; for violation of applicable federal, state or local law; for completion of the tenancy period for transitional housing; or for other good cause. To terminate or refuse to renew tenancy, the owner must serve written notice upon the tenant specifying the grounds for the action at least 30 days before the termination of tenancy.

CITY OF WATERTOWN

HOME REPAIR PROGRAM

ADMINISTRATIVE PROCEDURES

7.0 APPLICATION PROCESSING

Following is an outline of the procedures used for the HOME Repair Program with reference to applicable sections of the guidelines at each step:

Function	Reference Section
Explain the program to interested applicants.	Section 1.0 - 6.0
Complete the preapplication form.	APPENDIX F, Form 101
Collect eligibility documentation from the owner.	Section 8.0
Inspect the property to identify problems and outline required work on the inspection report.	Section 9.1 APPENDIX F, Form 102
Prepare a work writeup and cost estimate for review and approval by the owner.	Section 9.2 APPENDIX F, Form 103
Distribute the work writeup to qualified contractors and collect proposals.	Section 9.4 APPENDIX F, Form 104
Property owner selects the contractor & decides on the scope of work for the project.	APPENDIX F, Form 105
Present application for assistance to Project Review Committee for approval.	Section 10.1 APPENDIX F, Form 106
Prepare project agreement and loan documents for signature.	Section 10.2 APPENDIX F, Form 107
Prepare construction contract and collect insurance certificates from contractor.	Section 11.0 APPENDIX F, Form 108
Periodic inspection of work in progress and payments to contractor for completed work.	Section 12.1 - 12.5 APPENDIX F, Form 111,112
Certify completion of construction and authorize final payment.	Section 12.7 APPENDIX F, Form 114-116

8.0 VERIFICATION OF ELIGIBILITY

Following is a description of the documentation that must be collected from each applicant to determine eligibility for assistance under this program. This documentation must be maintained in each Project File.

8.1 Ownership

The Program Coordinator must verify that the applicant is the owner of the property to be improved before HOME financing can be approved. Applicants may apply for assistance before obtaining clear title, but must prove ownership before any financing approval can be given.

A copy of the property deed may be acceptable as proof of ownership. The deed must be recorded in the office of the County Clerk; and, if there is any question, the applicant may be required to submit a title report.

Land contracts and life tenancy agreements are not acceptable proof of ownership even if those documents are recorded in the County Clerk's office.

8.2 Income

The Program Coordinator must verify the current annual Household Income of the applicant and each tenant to determine eligibility for HOME financing. Household Income must include all income from all sources for each adult member of the household (includes all persons aged 18 or older). A complete, signed copy of the latest federal tax return with all schedules and attachments (W-2, 1099, etc.) will always be requested as basic income documentation. However, the tax return does not document current income; and it might not include some income sources that are not taxable, but which must be considered as part of the Household Income for this program. The following paragraphs detail the additional documentation that must be collected and maintained in the Project File for different types of income.

a. Salary or Wages

A complete, signed copy of the latest federal tax return with all schedules and attachments (W-2, 1099, etc.) and copies of current payroll stubs, statements from employers or other documentation as required to determine the current annual income for each household.

b. Social Security

A statement of benefits for the preceding year and the current year with copies of current checks to establish the gross benefit for each household (including amounts withheld for medicare).

c. Pensions

Statements detailing the payments received during the preceding calendar year and current payments for pensions, IRA's, annuities and other retirement benefits for each household.

d. Unemployment or Disability

Statements detailing the payments received during the preceding calendar year and copies of checks received for unemployment, disability or worker's compensation. Adjustments may be made by the Project Review Committee to reflect temporary conditions that are not an accurate reflection of the current Household Income.

e. Personal Assets

Details of all personal assets including documentation of current values and income generated during the previous year. Income will be estimated for the current year and may be imputed for those assets that do not generate current interest or dividends.

f. Income from Real Estate

Details of all income from rental properties. The net amount of such income after deducting actual cash expenses related to those properties must be included in the Household Income.

g. Business Income

Net income from all business activities must be included in the Household Income. Schedule C of the federal tax return will be used to document business income. Any non-cash expenses that have been included (eg: depreciation or amortization deductions) and personal or household expenses that have been paid by the business will be deducted from the expenses used to calculate net business income.

h. Other Income

The Project Review Committee must decide whether adequate documentation has been provided for other sources of income that may have been received by any adult member of the household during the current year.

The current Income Limits are detailed in APPENDIX A. These limits are revised annually based on the median incomes established by HUD.

8.3 Insurance and Taxes

Each applicant must provide documentation to show that adequate insurance is in force for the property to be rehabilitated and that real estate taxes and other local service charges have been paid for all properties owned by the applicant in the City of Watertown, as follows:

a. Hazard Insurance

A copy of the current insurance binder must be maintained in the Project File. The Program Coordinator must be satisfied that the insurance coverage is adequate for the property and the improvements to be made with assistance under this program.

b. Flood Insurance

If the property is located in a 100 year flood plain, adequate flood insurance must be secured and a copy of the insurance binder must be maintained in the Project File.

c. Real Estate Taxes

The Project File must include copies of the latest tax bills (including town, county, city and school taxes) stamped to show receipt of payment in full. As an alternative, the Program Coordinator may accept a written statement from each jurisdiction to document current payment of all taxes.

d. Water and Sewer Charges

The Project File must include copies of the latest water and sewer bills stamped to show receipt of payment in full. As an alternative, the Program Coordinator may accept written statements from the city to document current payment of these charges.

8.4 FHA Mortgage Limits

The Program Coordinator must determine that the value of the property will not exceed the Mortgage Limits established under Section 203(b) of the National Housing Act (12 USC 1709(b)). Generally, that value will be the assessment adjusted to "full value" by applying the current equalization rate provided by the New York State Department of Equalization and Assessment. As an alternative, the Program Coordinator may accept a recent appraisal to establish current value. For these purposes, it is assumed that the proposed improvements will not affect the property value.

9.0 INSPECTION, WORK WRITEUP AND CONTRACTOR SELECTION

The following paragraphs outline the process that will be used to identify eligible improvements and secure proposals from qualified local contractors who will perform the work under this program. It should be clearly understood that all decisions in this process will be made by the property owner. The Program Coordinator will offer assistance and explain the requirements of the HOME Repair Program to help the applicant qualify for HOME loan assistance. However, neither the city nor its employees, contractors or consultants assume any responsibility or liability for decisions made by the property owner or for work that is completed with assistance under this program.

9.1 Property Inspection

The Program Coordinator will inspect the property with the owner and prepare an inspection report (Form 102) identifying all problems that should be addressed if assistance is to be provided under the program. All conditions that violate local codes and defects that might become health or safety hazards must be included (see Priority 1 Improvements - Section 4.1). The inspection report should also identify all energy conservation problems (see Priority 2 Improvements - Section 4.2) and other problems or defects (see Priority 3 Improvements - Section 4.3) that the property owner wants to address with assistance under this program.

9.2 Work Writeup

Based on the inspection report, the Program Coordinator will prepare a work writeup detailing the improvements needed to eliminate all of the problems identified in the property. Form 103 outlines the general requirements and basic terms for all projects to be completed with assistance under this program. A written description will be added which lists each work item and specifies materials, equipment, construction methods, quantities, dimensions and other details for the proposed improvements. The work writeup should contain sufficient detail to allow contractors to submit competitive proposals.

For properties identified as having historic or architectural significance, the improvements detailed in the work writeup must correspond to the Secretary of Interior's "Standards for Rehabilitation" (see APPENDIX E). Those writeups must be approved by the State Historic Preservation Office (SHPO) before being released for contractor proposals.

The Program Coordinator will prepare an estimate of the cost of all improvements in the work writeup for review with the property owner.

9.3 Energy Audits

An energy audit should be conducted on each property that is being considered for rehabilitation with HOME financing under this program. That audit should include interviews with the occupants of the property and special diagnostic tests to determine where excessive energy use can be eliminated and what improvements can be made that will increase the energy efficiency of the property and reduce energy costs for the lower income occupants.

a. Referral to Weatherization:

Before the work writeup is finalized, the applicant should be referred to the Community Action Planning Council of Jefferson County, which administers the local Weatherization Assistance Program, for a determination of eligibility under that program.

b. Rehabilitation with an Energy Audit:

When assistance is being provided through the Weatherization Assistance Program, their staff will perform an energy audit to identify work that is eligible for their funding. Any energy related improvements that cannot be funded through the Weatherization Assistance Program can be included in the work writeup that is prepared for this program.

Energy audits may be secured from other sources, including private companies working for a fee, which will be an eligible project cost under this program. In that case, any energy related improvements that are identified in the audit can be included in the work writeup that is prepared for this program.

c. Rehabilitation without an Energy Audit:

It might not be possible to obtain an energy audit within a reasonable period of time from the Weatherization Program or private sources. In that case, the Program Coordinator may proceed with the project using the recommendations provided by *The Energy Efficient Rehab Advisor* at <http://rehabadvisor.pathnet.org/> to determine what energy related improvements should be included in the work writeup that is prepared for this program.

Any eligible or appropriate repairs that meet the standards for the HOME Repair Program but are not funded under the Weatherization Assistance Program will be included in the work writeup that is prepared by the Program Coordinator.

9.4 Lead-Based Paint - Compliance with Part 35 Regulations

Federal regulations at 24 CFR Part 35 require that special procedures be used for rehabilitation work on properties that were built before 1978. If that work is financed with federal funds from HUD, painted surfaces must be tested to determine whether lead-based paint is present; and any work that disturbs those painted surfaces must be performed by contractors who are trained to use “safe work practices” that will not create a hazard for young children in the property. When all work is completed, the work site must be inspected by a “certified” clearance inspector to assure that no dust is present that is contaminated with lead-based paint.

- a. Certain properties and improvements are exempt under §35.115 of the regulations and do not require lead-based paint inspections or the use of trained contractors for rehabilitation activities, including:
 - (1) any dwelling unit with zero bedrooms (includes SRO units);
 - (2) elderly housing (unless a child younger than 6 lives there);
 - (3) residential property that has been inspected and found to have no lead-based paint;
 - (4) residential property in which lead-based paint has been identified and removed and clearance has been achieved;
 - (5) non-residential property or portions of a mixed use property that are not used for human residential habitation; and
 - (6) rehabilitation work that does not disturb a painted surface.

- b. The Part 35 regulations do not apply for rehabilitation activities that disturb small areas of painted surfaces within the *de minimis* limits detailed in §35.1350(d) of the regulations, as follows:
 - (1) 20 square feet (2 square meters) on exterior surfaces;
 - (2) 2 square feet (0.2 square meters) on interior surfaces in any one room or space; or
 - (3) 10 percent of the total surface area of any interior or exterior building component with a small surface area.

In these cases, the work writeup must detail how all improvements are to be completed without exceeding the *de minimis* limits specified above (see materials in APPENDIX B).

9.5 Green Rehabilitation Practices

Green rehabilitation practices will be required to the maximum extent possible for all rehabilitation activities that are conducted under this program. The Green Rehabilitation Plan that is attached in APPENDIX C outlines the details that should be included in the scope of work for each project to improve the environment for the people who occupy those properties and to minimize the adverse affect of this work on the environment, including:

- a. Whenever appliances or equipment are to be replaced or installed, the new units should be Energy Star labeled to minimize energy use and the cost of energy for the lower income owners of these properties.
- b. Wall, floor and joint penetrations should be sealed to reduce heat loss and prevent pest entry into the house.
- c. Adequate ventilation should be provided to avoid moisture problems especially in bathrooms and laundry rooms, which must be provided with mechanical ventilation directly to the outdoors. Materials in those rooms should be specified with smooth, durable, cleanable surfaces that discourage the growth of mold.
- d. Hot water pipes in basements or unconditioned spaces should be insulated to minimize heat loss and reduce energy consumption. Exposed cold water pipes in conditioned spaces should also be insulated to minimize moisture condensation.
- e. Energy Star labeled low flow fixtures should be specified when water fixtures are to be installed or replaced.
- f. To the extent possible, building materials that are used in these projects should be Green Seal certified to contain low or no volatile organic compounds (VOC) that might be hazardous to the residents or the workers. That includes paints, adhesives and sealants that are used on each project. It could also include particle board or medium density fiberboard and carpet materials.
- g. Appropriate radon reduction measures must be included in any property where testing reveals radon levels above 4 pCi/L.
- h. Contractors should minimize construction waste and maximize the use of materials with recycled content in all activities that are financed under this program.

When the work is completed, each property owner should be given a copy of the "Healthy Homes Maintenance Checklist" (see APPENDIX C) to use as a guide for periodic inspection and maintenance of their property.

9.6 Solicitation of Proposals

The Program Coordinator will meet with the property owner and review all materials prepared to solicit proposals for work on the property, including an analysis of the HOME financing that might be available based on the proposed scope of work and cost estimate. If those details are acceptable to the property owner, the Program Coordinator will be authorized to prepare a package for distribution to contractors who are qualified to complete the work. The property owner may pre-select those contractors who will be asked to submit proposals from a list of qualified contractors provided by the Program Coordinator.

Written proposals will be received at the office of the Program Coordinator on forms that are prepared for each project (Form 104). All proposals will be opened at a specified date and time and reviewed by the Program Coordinator for completeness and acceptability under these guidelines. Proposals that are incomplete or irregular may be rejected by the Program Coordinator or the property owner.

All acceptable proposals from qualified contractors will be listed on a proposal tabulation (Form 105) for review by the property owner. The property owner must decide which work items will be included in the contract for his or her property. However, it should be understood that all Priority 1 items (see Section 4.1 of these guidelines) must be included if any HOME financing is to be provided under this program.

9.7 Selection of Contractor

The property owner may select any qualified contractor who submits an acceptable proposal for the activities detailed in the work writeup. However, it should be understood that the HOME financing will be calculated on the basis of the lowest acceptable proposal received from a qualified contractor in this process. If another proposal is selected, the property owner will be required to pay the difference between the amount of that proposal and the lowest acceptable proposal received. That Excess Cost will be included in the Minimum Owner Contribution.

9.8 Contractor Qualifications

All contractors performing work under this program must be approved by the Program Coordinator based on their comparable work, credit checks and other references. The contractor must carry sufficient liability and builder's risk insurance (minimum \$1,000,000 coverage) and worker's compensation and disability insurance as required by New York State law.

10.0 PROJECT FILE

When a contractor has been selected by the property owner, the Program Coordinator will assemble a Project File for presentation to the Project Review Committee. The contents of that file are detailed below.

10.1 Application For Assistance

The following materials will constitute a complete application for assistance under this program:

- a. The preapplication (Form 101) with documentation of income, ownership, insurance and payment of taxes and other charges.
- b. The inspection report (Form 102) listing all code violations and other problems identified in the property.
- c. The work writeup (Form 103) detailing all improvements needed to eliminate the problems identified in the property.
- d. Copies of all contractor proposals (Form 104) received from qualified contractors for this work.
- e. The proposal tabulation (Form 105) listing the contractor selected and those work items accepted by the property owner.
- f. The application for assistance (Form 106) detailing the sources of all funds for the proposed project.

10.2 Project Agreement

After review of the application, the Project Review Committee may approve HOME financing for the project. The Program Coordinator will then prepare a project agreement (Form 107) specifying the amount of HOME loan and any required owner contribution and detailing all program requirements that must be met during the course of the project and for a period of five years after all work is completed.

10.3 Note and Mortgage

A note and mortgage will be required to secure repayment of the HOME loan and to assure compliance with the sale and occupancy and rent limitations detailed in Sections 6.3 and 6.4 of these guidelines. Those documents will be recorded in the office of the County Clerk.

11.0 CONSTRUCTION CONTRACT

Following approval of the HOME financing by the Project Review Committee, the Program Coordinator will prepare a construction contract (Form 108) for review and execution by the property owner and the contractor. The following steps will be completed before the contract is executed and work is begun:

11.1 Escrow Account

In all cases where the property owner is required to contribute to the cost of rehabilitation activities, the full amount of that contribution must be delivered to the Program Coordinator for deposit in a special escrow account to be controlled by the city. Those funds will be used for payments to the contractor before any HOME funds are advanced.

11.2 Subcontractor Approval

Subcontractors must submit contractor qualifications (Form 117) and proof of insurance and be approved by the Program Coordinator and the property owner (Form 109) before they may work on the project.

11.3 Self-Help Method

In those cases where work will be performed by the self-help method, the owner will provide the Program Coordinator with a list of materials and equipment required for that work and the estimated cost to be incurred. The Program Coordinator will review this list and help establish a schedule of activities before any work can proceed.

11.4 Pre-Construction Conference

A conference will be held including the Program Coordinator, contractor and property owner. The construction contract may be signed after all parties have reviewed the scope of work and contract provisions.

11.5 Notice to Proceed

After all insurance binders are on file and the owner contribution is deposited (if applicable), a notice to proceed (Form 110) will be given to the contractor specifying a start date and a maximum time period for completion of all construction activities.

12.0 INSPECTION AND PAYMENTS

The following paragraphs detail the procedures to be used for inspection of the work and payments to the contractor during the construction process. It should be understood that all decisions regarding the work and all payment requests will be made by the property owner. Neither the city nor its employees, contractors or consultants are party to the construction contract. The city and its employees, contractors and consultants assume no responsibility or liability for the progress or quality of the work or for any payments to the contractor.

When each phase of the construction work is completed and the property owner is satisfied with the work, payment will be made from the escrow account (owner contribution) or from HOME funds that have been approved for each project. The Program Coordinator will work with the property owner during the course of the project to help assure that all requirements of these guidelines are satisfied and payments can be made when the work is completed.

12.1 Construction Inspections

The Program Coordinator will make periodic inspections of the work in progress as required by the type of activities involved in each project. These inspections should be documented in the Project File to provide a record of the work and any problems that are identified during the inspections. Those reports should also be reviewed with the property owner to assure that there are no problems that have been overlooked during the periodic inspections.

12.2 Payment Inspections

An inspection of the work in place will be required before any progress payment or final payment can be considered. The property owner and the contractor should be present at all payment inspections. An inspection report (Form 111) will be prepared for each progress payment and for the final payment. That report will be reviewed with the property owner and the contractor to assure that both parties agree about the items of work that have been completed and for which payment is being requested. The Program Coordinator will sign the inspection report indicating compliance with the program guidelines. The property owner will sign the inspection report indicating acceptance of the work and authorization for the payment being requested. A payment authorization (Form 112-P) must be completed and signed by the property owner and the Program Coordinator before any payment is approved by the city.

12.3 Payments

Progress payments may be made when significant portions of the work are completed. Each progress payment will be considered after receipt of a detailed invoice from the contractor. A payment inspection will be conducted to verify that the work is satisfactorily completed.

Ten percent of each progress payment will be withheld until all work is completed; and this withheld amount will be included in the final payment. Progress payments may be considered only for work that is completed in place. There will be no payment for materials stored on site or elsewhere.

In those cases where the property owner is required to contribute to the cost of this work, the owner's funds will be used for progress payments before any HOME funds are used. After approval of each payment by the city, a check will be made out to both the property owner and contractor and must be endorsed by the property owner prior to release to the contractor.

Before final payment, the contractor will supply the property owner with a copy of all equipment manuals and manufacturer's warranties and sign a release of liens and warranty (Form 114).

12.4 Pre-Payments

There will be no pre-payments to contractors or to property owners for materials or labor. All work must be completed and materials installed on the site before any payment request will be considered with HOME funds or funds supplied by the property owner.

12.5 Self-Help

The Program Coordinator will inspect all work that the property owner completes by the self-help method to assure that the work is properly done and all requirements of these guidelines are satisfied. An inspection report (Form 111) will be completed and signed by the Program Coordinator and the property owner for each payment.

Payments for work completed by the self-help method will be made based on the original supplier's invoices for materials used on work items actually completed and in place. All invoices should be clearly labeled with the address of the property being rehabilitated, a detailed listing of all materials and the date the materials were purchased or delivered.

12.6 Change Orders

Change orders will be considered only for unforeseen problems that are found during the course of the work. However, no change order will be considered unless the change is necessary to complete the activities that were included in the approved scope of work for which HOME financing was awarded.

The property owner or the contractor must advise the Program Coordinator when problems are identified that require a change order. An inspection will be conducted and an inspection report prepared to document the problem, outline the work required and detail the cost proposed by the contractor to resolve the problem.

If all parties agree with the proposed change, the Program Coordinator will prepare a written change order (Form 113) for consideration at the next meeting of the Project Review Committee. Any increase in the project cost must be approved by the Project Review Committee before HOME funds can be used for a change order. If any additional owner contribution is required, that amount must be deposited in the escrow account before the contractor is permitted to work on those activities covered by the change order.

12.7 Final Payment

A request for final payment will be considered only after all work included in the construction contract has been completed to the satisfaction of the property owner. A final inspection will be conducted with the property owner and the contractor; and an inspection report (Form 111) will be prepared documenting the status of all activities. The Program Coordinator will sign the inspection report indicating compliance with the program guidelines. The property owner will sign the inspection report indicating acceptance of the work and authorization for payment. A payment authorization (Form 112-F) must be signed by the owner and the Program Coordinator before the final payment is approved.

Before the final payment is released, the property owner will sign a certificate of completion (Form 115); and the Program Coordinator will prepare a disposition of funds report (Form 116).

The final payment will include all amounts withheld from progress payments during the course of the work. The final check will be made out to the property owner and the contractor and must be endorsed by the owner before delivery to the contractor. The contractor must deliver a release of liens and warranty (Form 114) before that check is released.

Ord No. 1

October 23, 2012

To: The Honorable Mayor and City Council
From: Elliott B. Nelson, Confidential Assistant to the City Manager
Subject: No Parking Restriction, Jefferson Street

At their Regular meeting on October 15, 2012, the City Council gave their assent to the request from the City Department of Public Works and Police Department to restrict parking within the first 50 feet of Jefferson Street from the intersection with High Street. As Council will recall, this ordinance was requested because the intersection is very narrow and difficult to navigate. This parking restriction will assist emergency responders and public works crews move their vehicles and equipment through the area without obstruction.

The ordinance is attached for City Council's consideration.

ORDINANCE

Amending City Municipal Code
Section 293-61, Schedule XIII,
Parking Prohibited at All Times

Page 1 of 1

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

Total

YEA	NAY

Introduced by

BE IT ORDAINED that Section 293-61 of the City Code of the City of Watertown is hereby amended by adding the following:

§ 293-61. Schedule XIII: Parking Prohibited at All Times.

Name of Street	Side	Location
Jefferson Street	Both	From High Street to a point 50 feet west thereof

and,

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

Seconded by

Ord No. 2

October 30, 2012

To: The Honorable Mayor and City Council

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

Subject: Changing the Approved Zoning Classifications of 63 Properties, Between Main Street West and the Black River, in Order to Conform to the Local Waterfront Revitalization Program

This ordinance was on the City Council's October 15, 2012 agenda, but it was not introduced and the public hearing was not scheduled. Mayor Jeffery E. Graham has requested that it be placed on the agenda again to clarify the City Council's interest in continuing with the LWRP zone changes.

The Planning Board reviewed the proposal at its September 4th and October 2nd meetings and passed a resolution at the latter meeting recommending approval, after making several changes. Those changes are reflected on the map and in the ordinance. Copies of the reports prepared for the Planning Board and excerpts from the Planning Board Minutes are attached.

The Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion that the project does not have any county-wide or inter-municipal issues, and is of local concern only.

On October 9, 2012, Bruce Boulrice contacted the Planning Office regarding his property at 481 Poplar Street, parcel 1-17-535. He stated that he would like to have his property remain available for use as an office, either by staying in the Light Industry District, or by changing to the Neighborhood Business District (NBD). In the attached letter, he requests the NBD option.

If the City Council wishes to make the change requested by Mr. Boulrice, then staff should be directed to change the ordinance before setting the public hearing. If 481 Poplar Street is changed, the neighboring property to the north, 487 Poplar Street, parcel 1-17-533, should also be changed to NBD rather than Residence C as currently depicted.

This ordinance also includes 532 Coffeen Street, which was inadvertently left out of the last zone change ordinance.

A Public Hearing is required before the City Council may vote on this Ordinance. It is recommended that a Public Hearing be scheduled for 7:30 p.m. on Monday, November 19, 2012.

ORDINANCE

Page 1 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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

Total

YEA	NAY

Introduced by

BE IT ORDAINED where certain changes to Zoning District boundaries are required in order to implement the City of Watertown’s Local Waterfront Revitalization Program, and

WHEREAS City Staff have submitted a request to change the approved zoning classification of certain properties between the Black River and Main Street West, and

WHEREAS the Planning Board of the City of Watertown considered the zone change request at its meeting held on October 2, 2012, and adopted a motion recommending that the City Council approve the zone changes as requested, and

WHEREAS the Jefferson County Planning Board reviewed the request at its September 25, 2012 meeting and determined that the proposal has no inter-municipal or county-wide issues and is of local concern only, and

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

WHEREAS a public hearing was held on the proposed zone change on November 5, 2012, after due public notice, and

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

ORDINANCE

Page 2 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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

Total

YEA	NAY

NOW THEREFORE BE IT ORDAINED that the zoning classification of the following parcel is hereby changed to **Residence C District**:

- 1-17-103.000 815 ANNE ST
- 1-17-104.000 811 ANNE ST
- 1-17-204.000 839 ANNE ST
- 1-17-205.000 835 ANNE ST
- 1-17-206.000 831 ANNE ST
- 1-17-207.000 827 ANNE ST
- 1-17-208.000 823 ANNE ST
- 1-17-301.000 859 ANNE ST
- 1-17-302.000 855 ANNE ST
- 1-17-303.000 855 ANNE ST
- 1-17-304.000 843 ANNE ST
- 1-17-504.000 818 ANNE ST
- 1-17-505.000 822 ANNE ST
- 1-17-506.000 826 ANNE ST
- 1-17-507.000 830 ANNE ST
- 1-17-508.000 834 ANNE ST
- 1-17-510.000 840 ANNE ST
- 1-17-511.000 844 ANNE ST
- 1-17-512.000 848 ANNE ST
- 1-17-513.000 M54 ANNE ST
- 1-17-533.000 487 POPLAR ST
- 1-17-535.000 481 POPLAR ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Neighborhood Business District**:

- 1-01-301.001 557 REAR MAIN ST W
- 1-01-302.000 549 MAIN ST W
- 1-01-305.000 531 MAIN ST W
- 1-14-101.000 412 MAPLE AVE
- 1-14-103.000 418 MAPLE AVE
- 1-14-104.000 424 MAPLE AVE
- 1-14-105.000 428 MAPLE AVE
- 1-14-106.000 432 MAPLE AVE
- 1-14-107.000 432 MAPLE AVE
- 1-14-108.000 440 MAPLE AVE

ORDINANCE

Page 3 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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

Total

YEA	NAY

- 1-14-111.100 729 MAIN ST W
- 1-17-403.000 925 MAIN ST W
- 1-17-515.000 466 HOLLY ST
- 1-17-516.000 466 HOLLY ST
- 1-17-519.000 877 MAIN ST W
- 1-17-520.000 871 MAIN ST W
- 1-17-521.000 867 MAIN ST W
- 1-17-522.000 861 MAIN ST W
- 1-17-523.000 855 MAIN ST W
- 1-17-524.000 851 MAIN ST W
- 1-17-525.000 845 MAIN ST W
- 1-17-526.000 833 MAIN ST W
- 1-17-527.000 833 MAIN ST W
- 1-17-528.000 827 MAIN ST W
- 1-17-529.000 819 MAIN ST W

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Commercial District**:

- 1-18-101.001 VL-4 VANDUZEE ST
- 1-18-103.000 470 VANDUZEE ST
- 1-18-103.001 444 VANDUZEE ST
- 1-18-104.000 476 VANDUZEE ST
- 1-18-105.000 VL MAIN ST W
- 1-19-101.000 471 VANDUZEE ST
- 1-19-101.001 471 VANDUZEE ST
- 1-19-102.000 475 VANDUZEE ST
- 1-19-103.000 VL-6 VANDUZEE ST
- 1-19-103.001 1003 MAIN ST W
- 1-19-104.000 VL-8 VANDUZEE ST
- 7-08-204.000 532 COFFEEN ST

And,

BE IT FURTHER ORDAINED that the zoning classification of each of the parcels in the following list is hereby changed to **Light Industrial District**:

- 1-14-121.000 591 REAR MAIN ST W

ORDINANCE

Page 4 of 4

Changing the Approved Zoning Classification of 63 Properties, Between Main Street West and the Black River, in Order to Conform to The Local Waterfront Revitalization Program

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

Total

YEA	NAY

1-14-125.000 611 MAIN ST W
 77-01-001.000 1 CONRAIL (only the portion between Main Street West and the Black River)

And,

BE IT FURTHER ORDAINED that parcel 1-14-301, a part of the property known as 753 Rear Main Street West, located along the bank of the Black River, is hereby changed to **Waterfront District**, and

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

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

Seconded by



MEMORANDUM

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

TO: Planning Board Members

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

SUBJECT: Zone Change – Local Waterfront Revitalization Program (Phase 7)

DATE: September 26, 2012

Request: Changing the approved zoning classifications of 60 properties, between West Main Street and the Black River, in order to conform to the Local Waterfront Revitalization Program

Applicant: City Staff

Owner: Various

SEQRA: Unlisted

County review: Required

Comments: After preliminary review by this Board on September 4th, Staff is now requesting a formal recommendation on the seventh phase of LWRP zone changes. Notices of the proposed changes were mailed to property owners on Wednesday, September 19th.

As a result of public response, one potential existing use conflict was brought to light. The vacant lot at M55 Anne Street (corner of Anne and Holly Streets) is currently used as accessory parking for the bakery supply store across the street (at 465 Holly Street). This parcel is currently marked for change to Residence C, which would make its use as a parking lot non-conforming.

M55 Anne Street may be left as Light Industry. If this is done, staff suggests that the parcels to the northeast, along the east margin of Holly Street, be changed to Neighborhood Business rather than Residence C.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II

Excerpt from the Minutes – Planning Board 10/2/2012

**LWRP ZONE CHANGES – PHASE 7
MAIN STREET WEST AREA**

The Planning Board then considered a request submitted by Staff to change the approved zoning classifications of 60 properties, between Main Street West and the Black River, in order to conform to the Local Waterfront Revitalization Program.

Mr. Mix explained the request and outlined the community response after notices were mailed.

He noted that CSX was opposed to changing its right-of-way from Heavy to Light Industry, and changing the houses which abut the railroad near Anne Street from Light Industry to Residence C. They are concerned that the intensive use of the track is a Heavy Industrial use, and would be detrimental to nearby housing. Mr. Mix noted that the railroad is a transportation corridor and questioned whether it really needed to be zoned at all—similar to a street or highway. He also noted that the housing in question is preexisting, so the argument against residential development is also of questionable relevance.

Mr. Mix continued, noting that a bakery supply warehouse had a parking lot which would be negatively impacted by the changes, as outlined in the Staff Report. M55 Anne Street should not be changed, and the rest of the properties on the east side of Holly Street should be changed to Neighborhood Business District.

He also noted that Chiappone's Tire Warehouse, if changed to NBD as proposed, would still be allowed, but would become subject to a Special Use Permit. Future use would also be limited in the event that the owners wished to sell the facility.

Mrs. Freda asked if Chiappone's would be allowed to stay indefinitely.

Mr. Mix replied that they would, unless the business ceased for a full year, in which case they would need to come in for a Special Use Permit.

Mr. Katzman noted that he owns property on Main Street West, and continued that he believes that the Chiappone's property should be left alone for the benefit of Mr. Chiappone's heirs.

Joe Roselli, 437 Broadway, of Chiappone's Tire Warehouse approached the Board. He stated that he would like to see the zoning left alone.

Mr. Katzman asked if it would be possible to use the Commercial District here. Mr. Mix stated that it would be spot zoning.

Mrs. Freda asked if Chiappone's had a long term plan, and if they planned to leave their building any time soon.

Mr. Roselli stated that they will operate as long as possible at their location. They are in it for the long haul. He noted they do not actually have any river frontage.

Mr. Coburn stated that he supports removing Chiappone's from the change proposal. Mr. Mix noted that the two properties to the west (across Edmund Street) would also need to be removed.

There was some general discussion regarding the railroad. Mrs. Freda asked where the remaining Heavy Industry areas in the City are. Mr. Mix noted that a large area around Air Brake was still HI, and also the Cleaves property north of Main St W.

Mr. Fontana moved to recommend approval of the request submitted by Staff to change the approved zoning classifications of 60 properties, between Main Street West and the Black River, in order to conform to the Local Waterfront Revitalization Program, with the following changes:

1. M55 Anne Street shall be removed from the proposal, and the rest of the properties fronting the east side of Holly Street be changed to Neighborhood Business District.
2. 557 Main St. W., 575 Main St. W., and 595 Main St. W. shall be removed from the proposal.

Mr. Coburn seconded, all voted in favor.

Mr. Davis moved to adjourn. Mr. Fontana seconded, all voted in favor.

The meeting adjourned at 4:20 pm.

Excerpt from the Minutes – Planning Board 9/4/12

**LWRP ZONE CHANGES – PHASE 7
PROPOSED CHANGES – WEST MAIN STREET**

Mr. Mix outlined the preliminary proposal for the area between West Main Street and the Black River. He noted that much of this proposal is simply fixing split zoning. Notably, the Vanduzee Street “barns” are not included because there is currently no feasible non-industrial use. One possible non-conforming use would be 475 Vanduzee Street, which appears to be some type of machine shop.

Mrs. Freda noted that the entire 800 block of West Main Street appears to be residential, and that it may not make sense to leave it zoned Neighborhood Business. Using Residence C might help protect the neighborhood and induce investment. Mr. Mix noted the heavy traffic on West Main Street may have a stronger affect on that block than the zoning does, but that staff would take another look at that area.

The Board agreed that the proposed changes looked appropriate.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 27, 2012



Andrew Nichols, Planner
City of Watertown
245 Washington Street, Suite 304
Watertown, NY 13601

Re: The City of Watertown, Zoning Text Amendment, JCDP File # C 08 - 12

Dear Andrew:

On September 25, 2012, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

The local board is free to make its final decision.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

E. Hartley Bonisteel
Community Development Coordinator

EHB

October 9, 2012

To Whom it may Concern:

In reference to the letter I received from Mr. Nichols concerning the zoning change on my property located at 481 Poplar St. Parcel ID 1-0017-635,000.

I would like to have the zoning changed from its present status of Industrial to Neighbor Business District.

If I need to fill out any applications or forms please let me know as I am presently visiting family in Arizona and not in the Watertown area.

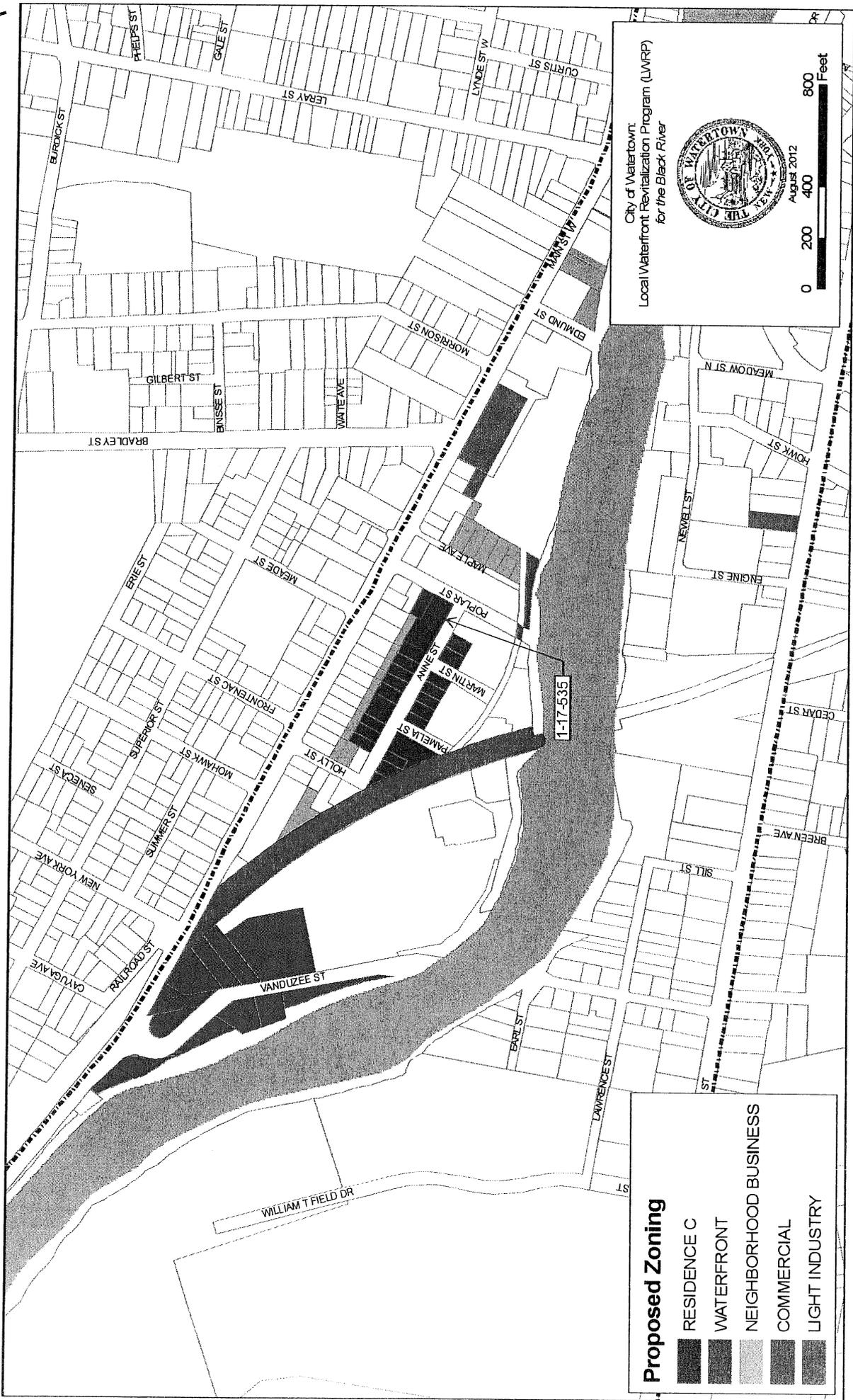
I can be reached at 602-616-4613 or
Bruce Boulrice
18041 N. 3rd Pl.
Phoenix, Az. 85022

Any consideration would be greatly appreciated.

Thank You

Bruce Boulrice

LWRP Proposed Zoning - Phase 7 - Main St West



City of Watertown
 Local Waterfront Revitalization Program (LWRP)
 for the Black River

THE CITY OF WATERTOWN
 AUGUST 2012

0 200 400 800 Feet

Proposed Zoning

-  RESIDENCE C
-  WATERFRONT
-  NEIGHBORHOOD BUSINESS
-  COMMERCIAL
-  LIGHT INDUSTRY

Public Hearing – 7:30 p.m.

October 29, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

Jessica Jarrell has submitted an application for the above subject Special Use Permit (SUP). An automobile sales lot has previously operated at this location, but no SUP is on file. The City Council scheduled a public hearing on the request for 7:30 pm on Monday, November 5, 2012.

The Planning Board reviewed the request at its October 2, 2012 meeting and adopted a motion recommending that Council approve the Special Use Permit with the one condition listed in the attached resolution.

Attached are the report prepared for the Planning Board and an excerpt from its minutes.

The Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion that the project does not have any county-wide or inter-municipal issues, and is of local concern only.

The City Council must hold the public hearing and answer the questions in Part II of the Environmental Assessment Form before it may vote on the resolution. The resolution finds that the proposed automobile sales lot will not have a significant effect on the environment and approves the Special Use Permit with the condition recommended by the Planning Board.

RESOLUTION

Page 1 of 1

Approving a Special Use Permit Request to Operate an Automobile Sales Lot in a Neighborhood Business District at 808 Main Street West, Parcel 1-16-205.001

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

Total

YEA	NAY

Introduced by

Council Member Roxanne M. Burns

WHEREAS Jessica Jarrell has made an application for a Special Use Permit to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001, and

WHEREAS the Jefferson County Planning Board reviewed the request at their September 25, 2012 meeting, and adopted a motion stating that the project has no county-wide or inter-municipal issues, and is of local concern only, and

WHEREAS the Planning Board of the City of Watertown reviewed the request for a Special Use Permit at its meeting held on October 2, 2012, and recommended that the City Council of the City of Watertown approve the request with the following condition:

1. The applicant shall not offer more than 5 vehicles for sale at once.
- And,

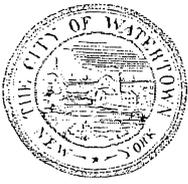
WHEREAS a public hearing was held on the proposed Special Use Permit on Monday, November 5, 2012, after due public notice, and

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

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed Special Use Permit to allow automobile sales at 808 Main Street West is an Unlisted Action for the purposes of SEQRA and hereby determines that the project, as proposed, will not have a significant effect on the environment, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that a Special Use Permit is hereby granted to Jessica Jarrell to operate an automobile sales lot at 808 Main Street West, parcel 1-16-205.001, contingent upon the applicant meeting the condition listed above.

Seconded by Council Member Joseph M. Butler Jr.



MEMORANDUM

CITY OF WATERTOWN – PLANNING OFFICE
245 Washington Street, Suite 304, Watertown, New York 13601
Phone: 315-785-7730 – Fax: 315-782-9014

TO: Planning Board Members

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

SUBJECT: Special Use Permit Approval – 808 Main Street West, Car Sales *KAM*

DATE: September 24, 2012

Request: Special Use Permit request to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001

Applicant: Jessica Jarrell

Proposed Use: Auto sales

Property Owner: James Ferard

Submitted:

8 ½" x 11" Copy of Parcel Map: No A Sketch of the Site to Scale: No

Completed Part I of an Environmental Assessment Form: No SEQRA: Unlisted Action

County Planning Board Review Required: No

Comments: The applicant wishes to open an auto sales lot at 808 Main Street West. The lot has an existing building which will not be altered. The current use, a taxi parking lot and dispatch, will apparently continue simultaneously.

The applicant indicates that approximately 5 vehicles will be offered for sale at a time.

This lot has been used for auto sales previously, but no Special Use Permit is on file for the address, expired or otherwise.

cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Jessica Jarrell, 25754 Pearl St Rd



CITY OF WATERTOWN, NEW YORK

245 Washington Street, Watertown, NY 13601
Office: (315) 785-7730 Fax: (315) 782-9014

Special Use Permit Application

APPLICANT INFORMATION

Name: Jessica Jarrell
 Mailing Address: 25754 Pearl St Rd
 Watertown, NY 13601
 Phone Number: 315804-4817 Email: JessicaJarrell@yaho.com

PROPERTY INFORMATION

Property Address: 808 W. Main St
 Watertown, NY 13601
 Tax Parcel Number(s): 1-16-205.1
 Property Owner (if not applicant): James Ferard

If applicant is not owner or owner's representative, indicate interest in the property:
 Signed Purchase Agreement (attach) Signed Lease (attach) None yet

Zoning District: Neighborhood Business

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

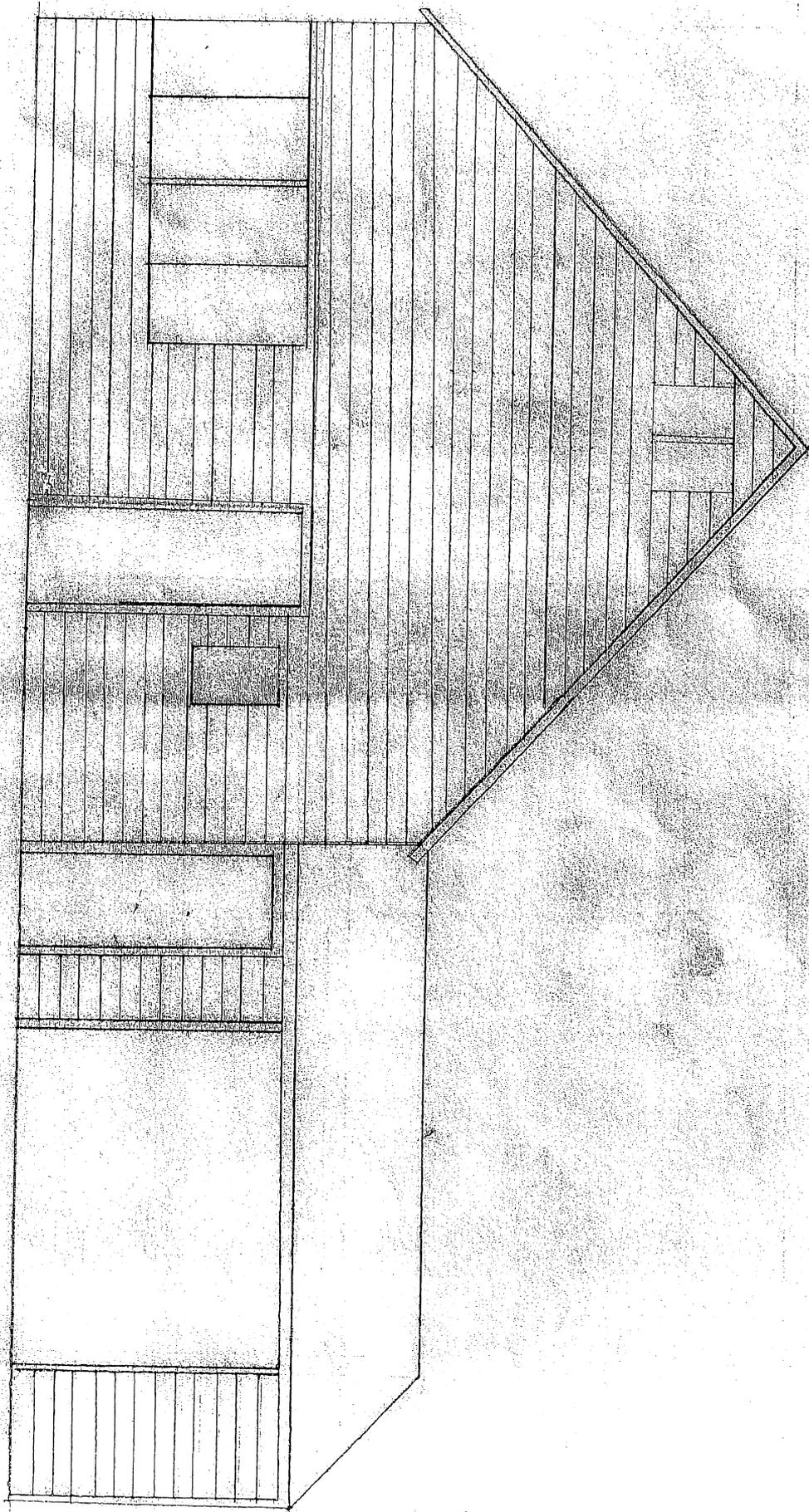
REQUEST DETAILS

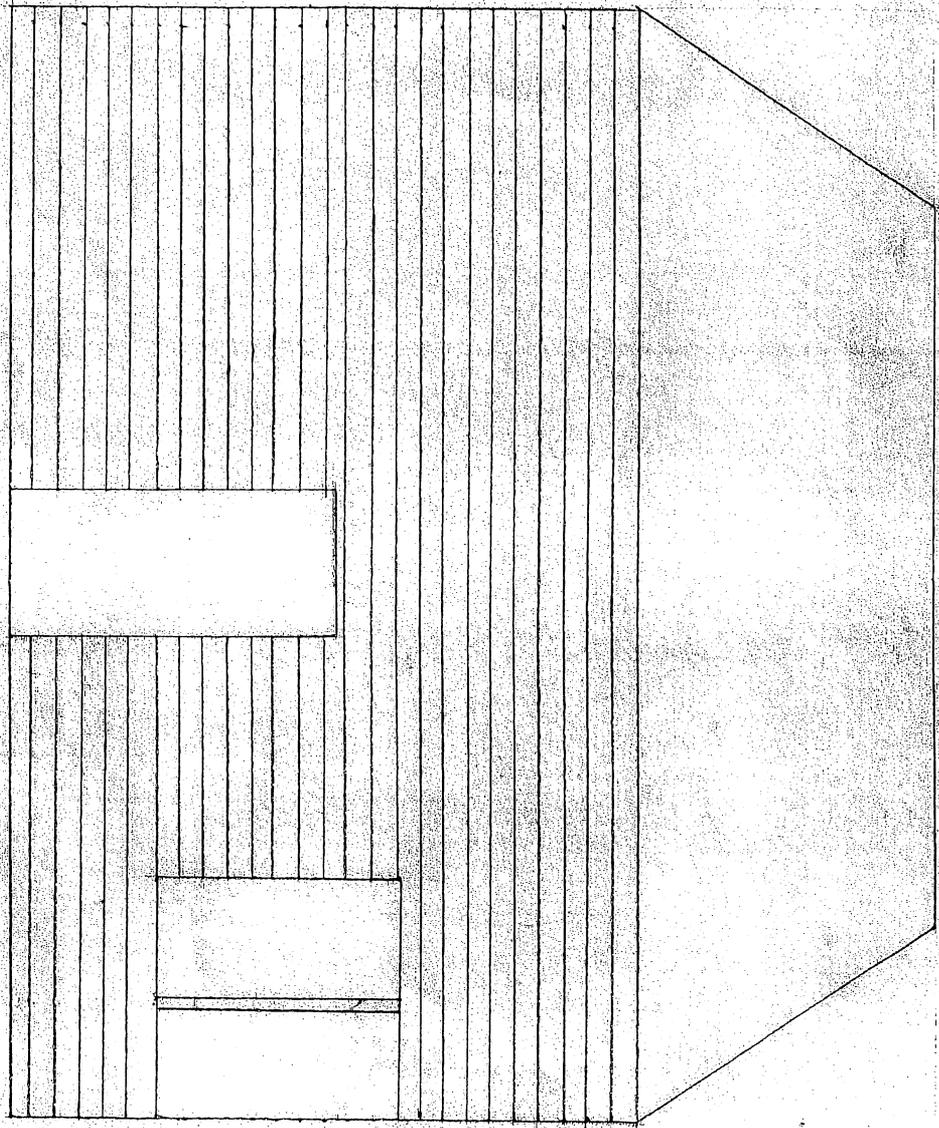
Proposed Use: Commercial Cars Used
 Explain proposal (use additional 8.5x11 sheets if necessary):
 would like to open a car lot w/ 5 vehicles (2 trucks, 2 cars, 1 van)
 rough idea. Building is already existing.

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

Signature: Jessica Jarrell

Date: 9-4-12





Excerpt from the Minutes – Planning Board 10/2/2012

**SPECIAL USE PERMIT – AUTO SALES
808 MAIN STREET WEST – PARCEL 1-16-205.001**

The Planning Board then considered a request submitted by Jessica Jarrell to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001.

Ms. Jarrell was present to explain her proposal. She stated that she wished to sell cars in the existing paved lot at 808 Main St W, where Big Man's Cab is currently located, and would continue to operate. She would offer five vehicles at the location, and would not perform automobile repairs.

Mrs. Freda asked if Site Plan Review would be required. Mr. Nichols stated that it would not, because no construction was proposed.

Mrs. Freda asked what the hours of operation would be. Ms. Jarrell replied 9:00 to 5:30, Monday through Saturday.

Mr. Katzman noted that the lot is small, and couldn't hold tons of cars. Ms. Jarrell noted that the cab company only has two cars on the lot. A discussion followed regarding the size of the lot and whether or not a limit should be placed on the number of cars allowed to be for sale at any given time. Ms. Jarrell noted she would only have up to 5 cars for sale at a time. Given Ms. Jarrell's intent to only have 5 cars and the smaller size of the lot, the Planning Board decided to limit the number of cars allowed for sale to 5.

Mr. Fontana moved to recommend that City Council approve the request submitted by Jessica Jarrell to operate an automobile sales lot in a Neighborhood Business District at 808 Main Street West, parcel 1-16-205.001, with the following condition:

1. The applicant shall not offer more than 5 vehicles for sale at once.

Mr. Coburn seconded, all voted in favor.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 27, 2012



Andrew Nichols, Planner
City of Watertown
245 Washington Street
Watertown, NY 13601

Re: Jessica Jarrel, Special Permit, Used Car Sales, JCDP File # C 11 - 12

Dear Andrew:

On September 25, 2012, the Jefferson County Planning Board reviewed the above referenced project, referred pursuant to General Municipal Law, Section 239m.

The Board adopted a motion that the project does not have any significant County-wide or intermunicipal issues and is of local concern only.

General Municipal Law, Section 239m requires the local board to notify the County of its action on this matter within thirty (30) days after taking a final action.

Thank you.

Sincerely,

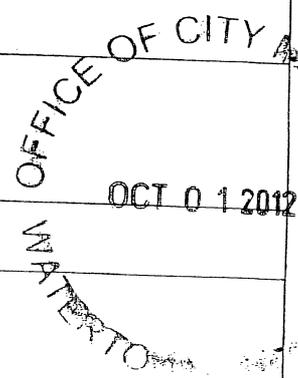
Jennifer Voss
Community Development Coordinator

JV

Appendix C
 State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Jessica Jarrell</i>	2. PROJECT NAME <i>CT's Auto Sales</i>
3. PROJECT LOCATION: Municipality _____ County _____	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>808 W. Main St Watertown NY 13201</i>	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <i>Sell used cars.</i>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? Describe: <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, list agency(s) name and permit/approvals:	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
<p style="text-align: center;">I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p> Applicant/sponsor name: <i>Jessica Jarrell</i> Date: <i>9-25-12</i> Signature: <i>Jessica Jarrell</i>	



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

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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

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

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

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

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

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

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

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

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

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

Yes No If Yes, explain briefly:

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

Yes No If Yes, explain briefly:

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

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question d of part ii was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

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

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

Name of Lead Agency

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)

Tabled

October 30, 2012

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Removal of Resolution Authorizing Sale of Real Property,
Known as 60 Woodley Street to William Martin

At the October 10, 2012 auction of City-owned properties, William Martin was the successful bidder on 60 Woodley Street at \$100. The required 10% deposit was made. However, at that time, Mr. Martin had not yet paid his 2012-13 City tax bill.

In speaking with Mr. Martin today, he informed me that he does not wish to purchase the lot any longer and recognizes his deposit of \$10 is forfeited. This property will again be placed for auction at a later time.

It is recommended that this resolution be withdrawn.

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
Known as 60 Woodley Street to
William Martin, 576 Snell Street,
Watertown, New York 13601

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

Total

YEA	NAY

Introduced by

Council Member Roxanne M. Burns

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

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

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

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

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$100 submitted by William Martin for the purchase of Parcel No. 01-24-201.000, is a fair and reasonable offer therefore and the same is hereby accepted, and

RESOLUTION

Page 2 of 2

Authorizing Sale of Real Property,
Known as 60 Woodley Street to
William Martin, 576 Snell Street,
Watertown, New York 13601

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

YEA	NAY

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

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

Seconded by Council Member Teresa R. Macaluso

October 23, 2012

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

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

If Council wishes, Staff can be of assistance in contacting members for reappointment.

Board or Commission	Appointed By	Term	Name of Member	Date of Appt.	Term Expires
Plumbing Board	Mayor	3 Years	Robert Derouin	11/9/2009	12/31/2012
Plumbing Board	Mayor	3 Years	Justin L. Wood	11/9/2009	12/31/2012
Flower Memorial Library	Mayor	11 Years	Connie Holberg	6/5/2006	12/31/2012
Transportation Commission	Council	3 Years	Helen Wilson **	5/23/2012	4/1/2013
Board of Ethics	Council	1 Year	Mary M. Corriveau *	11/7/2011	12/31/2012
Board of Ethics	Council	1 Year	Frank A. Seminerio *	11/7/2011	12/31/2012
Board of Ethics	Council	1 Year	Arthur C. Stever III	11/7/2011	12/31/2012
Board of Ethics	Council	1 Year	Rande S. Richardson	11/7/2011	12/31/2012
Board of Ethics	Council	1 Year	James St. Croix	11/7/2011	12/31/2012
City Constable	Council	1 Year	Patricia Hennegan	11/7/2011	12/31/2012
Deputy City Constable	Council	1 Year	Michael Hennegan	11/7/2011	12/31/2012

*Resigned

**Passed Away



October 17, 2012



Sharon Addison, City Manager
City Hall, Municipal Bldg.
245 Washington Street, Rm 302
Watertown NY 13601

Dear Ms. Addison:

Enclosed is our statistical summary for NYS Small Business Development Center (SBDC) at Jefferson Community College. This data is representative of our Federal year October 1, 2010 through September 30, 2011. All funding dollars invested by our clients as well as the jobs that were saved and or created are verified by our clients through independent surveys.

This past year was again difficult for our business economies to gain access to funding. The recession continues to impact business sales creating some cash flow problems for many of them. Our counseling services remained in high demand with 798 clients utilizing them with 63 businesses receiving funding and investing significant investment dollars in our community.

Should you have any questions about our programs, please give me a call.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Constance".

Eric Constance
Regional SBDC Director

Enclosure
res

Statistical Summary

Gender	Military	Workshops
38 % Female	26 %	40
62 % Male		1958 Attendees

JOBS

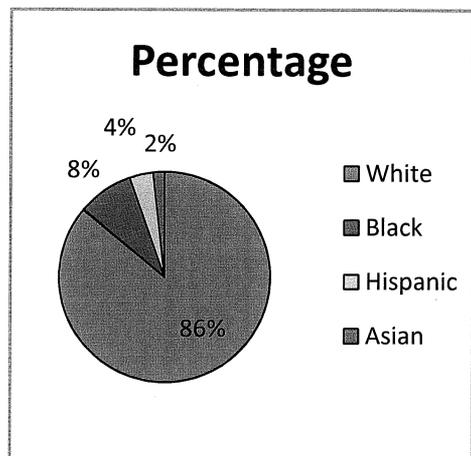
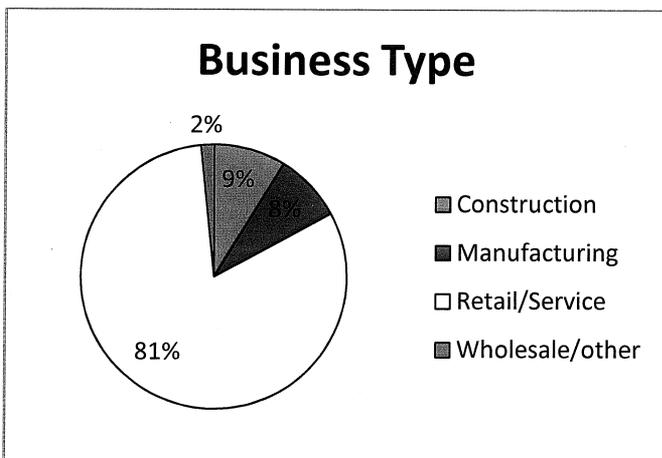
<u>Saved</u>	<u>Created</u>
157	332

Clients

Oswego – 257
 Watertown – 593
 Total 850

Impact

\$19,418,548.00
 90 Funding projects



Watertown Regional SBDC

Client Statistics

