

**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, July 16, 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 Public Benefits Services Agreement Between the City of Watertown and the Disabled Persons Action Organization
- Resolution No. 2 - Approving Public Benefits Services Agreement Between the City of Watertown and the Jefferson County Historical Society
- Resolution No. 3 - Readopting Fiscal Year 2012-13 Tourism Fund Budget
- Resolution No. 4 - Approving Salary Structure, and Annual Pay Increase for Watertown Housing Authority Employees
- Resolution No. 5 - Authorizing a Grant Application to the North Country Regional Economic Development Council Capital Fund and Empire State Development for Improvements and Renovations to the Watertown Municipal Arena
- Resolution No. 6 - Approving Amendment No. 4 to the State Assistance Contract for Sewall's Island Environmental Restoration Program Grant

- Resolution No. 7 - Approving Amendment No. 4 to the Agreement for Professional Services With Lu Engineers for the Environmental Investigations on Sewall's Island
- Resolution No. 8 - Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115
- Resolution No. 9 - Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320
- Resolution No. 10 - Approving a Special Use Permit Request to Allow a 4-unit Dwelling in a Residence C District Located at 414 Stone Street, Parcel 10-03-205
- Resolution No. 11 - Accepting the Proposal for the Soldiers and Sailors Monument Conservation Project, Conservation Solutions, Inc.
- Resolution No. 12 - Authorizing Sale of Real Property, Known as 522 Mohawk Street to Fred Cumoletti, 5759 Sunset Terrace, Cicero, New York 13039
- Resolution No. 13 - Accepting Proposal of Armory Associates, LLC For Actuarial Services

ORDINANCES

LOCAL LAW

PUBLIC HEARING

OLD BUSINESS

STAFF REPORTS

1. Appointment to Watertown Local Development Corporation Board
2. Waiver of Fees for City Facilities
3. Property Offers – 111 Orchard Street South
4. Bike Auction Results
5. Letter from Anne Nans of Sackets Harbor, NY
6. Zoo Board Discussion of the Karl R. Burns Learning Center

NEW BUSINESS

EXECUTIVE SESSION

WORK SESSION

ADJOURNMENT

**NEXT REGULARLY SCHEDULED CITY COUNCIL MEETING IS MONDAY,
AUGUST 6, 2012.**

Res No. 1

July 6, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving Public Benefit Services Agreement,
Disabled Persons Action Organization

On June 21, 2012, Ms. Cynthia L. Fitzpatrick, Executive Director of the Disabled Persons Action Organization (DPAO), sent a letter to my attention requesting consideration for financial support from the Tourism Fund in the amount of \$5,000. This funding would be used to promote the City of Watertown and the DPAO summer concert series via a marketing and advertising campaign to include radio, TV, newspaper, etc.

Over the past 30 plus years, hundreds of concerts have been brought in to the Watertown, New York area by DPAO. DPAO concerts draw attendees from not only the City of Watertown and Jefferson County, but from central and northern New York and Canada. The money raised at these concert helps to sustain the services the agency provides for children and adults with developmental disabilities.

Based on discussion regarding this request at the July 2, 2012 City Council meeting, a resolution has been drafted for City Council consideration, along with an Agreement for Public Benefit Services that would allocated \$5,000 in Tourism funds for the 2012-13 Fiscal Year. The attached Agreement for Public Benefit Services has the same terms and conditions that were contained in last year's Agreement between DPAO and the City.

RESOLUTION

Page 1 of 1

Approving Public Benefits Services Agreement
Between the City of Watertown and the Disabled
Persons Action Organization

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

YEA	NAY

WHEREAS the City Council has received a request for funding to support the promotion of the Disabled Persons Action Organization, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$5,000 from the FY 2012-13 Tourism Fund to support the Disabled Persons Action Organization, and

WHEREAS the Disabled Persons Action Organization will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices, and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Disabled Persons Action Organization, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Disabled Persons Action Organization, and

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

Seconded by

AGREEMENT FOR PUBLIC BENEFIT SERVICES

BETWEEN

THE CITY OF WATERTOWN, NEW YORK

and

DISABLED PERSONS ACTION ORGANIZATION

MARKETING AND PROMOTION OF THE CITY OF WATERTOWN

This Agreement made by and between the City of Watertown, New York and the Disabled Persons Action Organization.

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF PROJECT. The Disabled Persons Action Organization shall provide the City of Watertown with its services and shall promote and publicize the advantages of the City of Watertown.

Article II. ELIGIBLE ACTIVITIES. Eligible activities for the Disabled Persons Action Organization shall include but not be limited to, all public media, print, radio, television, direct contact, event publicity, contests, or other promotional devices. Also, included shall be promotional materials.

Article III. INELIGIBLE ACTIVITIES. Ineligible activities shall include but not be limited to: land acquisition, staff salary, utilities, fuel, insurance, maintenance and security salaries, construction and renovation costs, interest, purchase of equipment, operating costs and program activities solely directed towards or restricted to organizational membership.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be for one (1) year, from July 1, 2012 through June 30, 2013.

Article V. MANNER OF PAYMENT.

- A. The amount to be paid from the City of Watertown Tourism Fund, as appropriated therefore, shall not exceed Five Thousand Dollars (\$5,000) for the term of this Agreement.

- B. Payment shall be made by the City Comptroller upon the receipt of an executed Services Agreement between the City of Watertown and the Disabled Persons Action Organization and the rendering of a verified account and the audit of vouchers submitted by DPAO. A verified account shall be submitted to the City on or before June 30, 2013.

- C. The Disabled Persons Action Organization understands that City funds may only be used for eligible activities and for services actually performed.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or representatives on this _____ day of _____, 2012.

CITY OF WATERTOWN, NEW YORK

By: _____
Sharon Addison, City Manager

DISABLED PERSONS ACTION ORGANIZATION

By: _____
Cynthia L. Fitzpatrick, Executive Director

Disabled Persons Action Organization

617 Davidson Street, Box 222
Watertown, NY 13601

Cynthia L. FitzPatrick
Executive Director
June 21, 2012

Mr. John Kroll
City Manager
City of Watertown
Room 302
Municipal Building
245 Washington Street
Watertown, New York 13601



Tel: 315-782-3577
1-800-533-2859
Website: dpao.org
Fax: 315-782-6673

Dear John:

The Disabled Persons Action Organization (DPAO) is requesting \$5,000 from the City of Watertown Tourism Fund to assist us in promoting our 2012 Summer Concert Series. DPAO will promote and publicize the advantages of the City of Watertown through an extensive Marketing and Advertising Campaign which will include Radio, TV, Newspaper, etc.

DPAO is a non-profit, tax exempt organization whose mission is to provide quality and effective individualized services to developmentally disabled children and adults in Jefferson and Lewis Counties. The services are primarily geared to helping families cope with the stress of caring for their disabled loved ones in their own homes.

DPAO's annual concert series generate funds that enable the agency to expand services beyond what government resources can support thus providing vitally needed opportunities to over 500 families with developmental disabilities. Receiving additional individualized support has made it possible for people with disabilities to remain at home where there is more love and attention, than placement in a more costly community residence or other facility.

DPAO's Summer Concert Series brings thousands of concert goers to the Watertown Area each year to watch some of the best entertainers in the world! The City of Watertown, along with many, many businesses, etc. benefits from the revenue generated from these visitors who stay in the hotels, eat in the restaurants and purchase items from area businesses.

DPAO thanks the City of Watertown in advance for your time and consideration for this most important matter. Please contact me with any questions or if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "Cynthia L. FitzPatrick".

Cynthia L. Fitzpatrick
Executive Director



Car-Freshner

DPAO / TOYOTA / CAR-FRESHNER 2012 Summer Concert Series

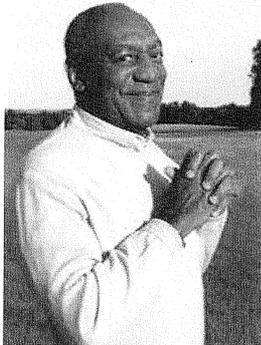


Disabled Persons Action Organization (DPAO)



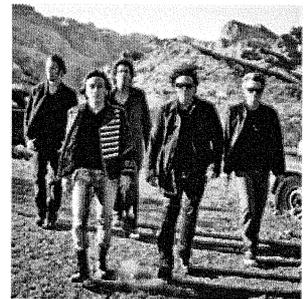
Blake Shelton

With Justin Moore
Friday, July 6th at 7pm
Watertown Fairgrounds
Reserved- \$75.00
General Admission- \$49.00



Bill Cosby

www.billcosby.com
Saturday, July 28th at 7pm
Watertown Fairgrounds Arena
Reserved- \$56.00
General Admission- \$40.00



JOURNEY

with Loverboy
www.JOURNEYMUSIC.COM
Tuesday, August 14th at 7pm
Watertown Fairgrounds
Reserved- \$75.00
General Admission- \$55.00



Doodlebops

With Caillou
Saturday, August 4th at 3pm
Watertown Fairgrounds Arena
Reserved- \$23.00
General Admission - \$18.00

For Reserved Tickets:

Visit our website at www.DPAO.org
Or by calling 782-0044

General Admission Tickets are

Available at:

Select Kinney Drugs
Price Chopper Supermarkets

CO- SPONSORS



ADVANCED
BUSINESS
SYSTEMS
INCORPORATED



Town of Watertown

Judy & Steven McAllaster-Gunn

Res No. 2

July 6, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving Public Benefit Services Agreement,
Jefferson County Historical Society

On June 8, 2012, Mr. William G. Wood, Executive Director of the Jefferson County Historical Society, sent a letter to my attention requesting consideration for financial support from the Tourism Fund in the amount of \$15,000. This funding would be used to market the facility and exhibits of the Historical Society via media, brochures and posters. The Historical Society has planned museum exhibits, history tours, lectures, and private and community events that will be marketed and promoted to draw visitors to the City of Watertown.

Based on discussion regarding this request at the July 2, 2012 City Council meeting, a resolution has been drafted for City Council consideration, along with an Agreement for Public Benefit Services that would allocate \$12,500 in Tourism funds for the 2012-13 Fiscal Year. The attached Agreement for Public Benefit Services has the same terms and conditions that were contained in last year's Agreement between the Historical Society and the City.

Approving Public Benefits Services Agreement
Between the City of Watertown and the Jefferson
County Historical Society

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

YEA	NAY

WHEREAS the City Council has received a request for funding to support the promotion of the Jefferson County Historical Society, and

WHEREAS the City Council of the City of Watertown desires to appropriate \$12,500 from the FY 2012-13 Tourism Fund to support the Jefferson County Historical Society, and

WHEREAS the Jefferson County Historical Society will expend the funds to market and promote the City of Watertown through the public media, print, radio, television, direct contact and other promotional devices and that this will encourage tourism in the City of Watertown, and

WHEREAS the City of Watertown wishes to enter into an Agreement for Public Benefit Services between the City of Watertown and the Jefferson County Historical Society, a copy of which is attached and made a part of this resolution,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves a Public Benefit Services Agreement between the City of Watertown, New York and the Jefferson County Historical Society, and

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

Seconded by

AGREEMENT FOR PUBLIC BENEFIT SERVICES

BETWEEN

THE CITY OF WATERTOWN, NEW YORK

and

JEFFERSON COUNTY HISTORICAL SOCIETY

MARKETING AND PROMOTION OF THE CITY OF WATERTOWN

This Agreement made by and between the City of Watertown, New York and the Jefferson County Historical Society.

WITNESSETH

For and in consideration of the mutual covenants and agreements hereinafter contained, the parties hereto for themselves, their successors and assigns, have mutually agreed and do agree with each other as follows:

Article I. DESCRIPTION OF PROJECT. The Jefferson County Historical Society shall provide the City of Watertown with its services and shall promote and publicize the advantages of the City of Watertown.

Article II. ELIGIBLE ACTIVITIES. Eligible activities for the Jefferson County Historical Society shall include but not be limited to, all public media, print, radio, television, direct contact, event publicity, contests, or other promotional devices. Also, included shall be promotional materials.

Article III. INELIGIBLE ACTIVITIES. Ineligible activities shall include but not be limited to: land acquisition, staff salary, utilities, fuel, insurance, maintenance and security salaries, construction and renovation costs, interest, purchase of equipment, operating costs and program activities solely directed towards or restricted to organizational membership.

Article IV. TERM OF THIS AGREEMENT. The term of this Agreement shall be for one (1) year, from July 1, 2012 through June 30, 2013.

Article V. MANNER OF PAYMENT.

- A. The amount to be paid from the City of Watertown Special Tourism Funds, as appropriated therefore, shall not exceed Twelve Thousand Five Hundred Dollars (\$12,500) for the term of this Agreement.

- B. Payment shall be made by the City Comptroller upon the receipt of an executed Services Agreement between the City of Watertown and the Jefferson County Historical Society and the rendering of a verified account and the audit of vouchers submitted by the Historical Society. A verified account shall be submitted to the City on or before June 30, 2013.
- C. The Historical Society understands that City funds may only be used for eligible activities and for services actually performed.

Article VI. PROVISIONS OF LAW. All provisions of law required to be made as part of this Agreement are hereby deemed incorporated in this Agreement. Performance of the terms and conditions of this Agreement shall be subject to and performance of all applicable laws.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized officers or representatives on this _____ day of _____, 2012.

CITY OF WATERTOWN, NEW YORK

By: _____
Sharon Addison, City Manager

JEFFERSON COUNTY HISTORICAL SOCIETY

By: _____
William G. Wood, Executive Director



Jefferson County Historical Society

228 Washington St., Watertown, NY 13601

Phone:
(315) 782-3491

Fax:
(315) 782-2913

Website:
JeffersonCountyHistory.org

Officers

Jeffrey Garvey
President

Patti Schreck
1st Vice President

Dan Dupee II
Treasurer

Board of Trustees

Roxanne M. Burns
Christine Cisco
Jonah Coburn
Ken Eysaman
Mark Gebo
Nusrat Hafeez
Kevin Kieff
Dawn Ludovici
Cathy Pisarski
Taylour Scanlin

Museum Staff

William G. Wood
Executive Director

Lisa Earp
Office Manager

Melissa Widrick
Curator of Education

David T. Coleman
Caretaker

June 8, 2012

Mr. John Krol
City Manager
City of Watertown
245 Washington Street
Watertown, NY 13601-3380



Dear Mr. Krol,

The Jefferson County Historical Society is requesting consideration for approval of 2012 funding through a Public Benefit Services Agreement similar to the one approved via Special Tourism Funds in 2011.

Our request this year is for approval of \$15,000 in funding to be utilized in marketing via media, promotion, brochures and posters. Discussions with News 7 / Fox 28 and the Watertown Daily Times have yielded partnerships providing the JCHS with each pledging \$10,000 in media support for the year. The actual payment to these media partners was \$3,500 total. Additional media partnerships are being sought to continue this successful strategy. Your funding support encourages these partnerships.

Our calendar of programs, exhibits and events continue to grow. The schedule offers families and individuals many educational and entertaining opportunities to travel to downtown Watertown. The funding requested will allow us to increase the strength of our promotion throughout the year. The recent *Heritage Days 2012* media campaign generated awareness and interest in the JCHS but also for Watertown as a destination. Guests continue to visit us, some lifelong area residents, who have never been on our campus before or have not been for decades. Our attendance doubled in January and tripled in February.

Enclosed is information about the JCHS activities planned. I will be glad to discuss more details in person to support this request.

Thank you for your consideration.

Sincerely,

William G. Wood
Executive Director
Jefferson County Historical Society

Jefferson County Historical Society Events and Activities 2012/13 Calendar

Date	Event
Jun. 9th	<i>NY's North Country & the Civil War</i> - Talk and Book Signing
Jun. 16th	Fathers Day Workshop - Family Activity
June-Aug.	Box Lunch Review-Front Lawn - Wednesdays / Fridays
June- Dec.	Hunting and Firearms Exhibit
July 14th	Historic Summer Games - Family Activity (Noon - 2pm)
Aug. 3rd	<i>The Battle of Big Sandy</i> - Talk and Book Signing
Aug. 11th	Historical Society 500 Donor Reception (Noon - 3pm)
Aug. 18th	3rd Annual Victorian Garden Fashion Show Luncheon
Aug. 25th	History on the Water - Crescent Yacht Club
Aug. 28th	Skaneateles / Merry Go Round Theater Bus Trip
Sept. 1st	JCHS's History Detectives - Family Activity
Oct. 20th	Harvest Celebration - Family Activity (1:00 - 3:00pm)
Nov. 17-18	Holiday Victorian Faire
Dec. - Feb.	Holiday Model Train Display - Family Activity
Dec. 8th	Holiday Reception at Paddock Mansion
Dec. 15th	Santa's Workshop - Family Activity
Jan. +	"Gems of the JCHS" Rear Gallery Exhibit
Feb. 4th	JCHS's History Detectives - Family Activity (1:00 - 3:00pm)
Mar.	JCHS Bus Trip
Mar.	Easter Egg Hunt & Parade - Family Activity (1:00 - 3:00pm)
May	Mothers Day Tea (1-3pm)
May	JCHS Open Reception for Members
Jun.	Heritage Days - 1800's Living History Demonstrations / Antique Fire Truck Muster / Antique Tractors & Farm Life / Classic Car Cruise-In & Block Party / North Country History Partners / New Car Expo

Res No. 3

July 10, 2012

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: FY 2012-13 Tourism Fund Budget Re-adoption

Included in tonight's agenda are two agreements that would impact the Fiscal Year 2012-13 Budget if approved. On April 9th City Council approved an agreement in the amount of \$41,850 with Thousand Islands International Tourism Council. Tonight City Council is presented with an agreement with the Jefferson County Historical Society in the amount of \$12,500 and an agreement with the Disabled Persons Action Organization in the amount of \$5,000. If both agreements are approved at the presented amounts, then the total publicity appropriations of the Tourism Fund for Fiscal Year 2012-13 would be \$59,450 as compared to the adopted budget amount of \$50,000. The attached resolution re-adopts the FY 2012-13 Tourism Fund Budget to include the increased appropriations necessary to cover the total of the three agreements.

The projected ending FY 2011-12 Tourism fund balance is \$20,139.

RESOLUTION

Page 1 of 1

Readopting Fiscal Year 2012-13
Tourism Fund Budget

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

YEA	NAY

Introduced by

WHEREAS on May 26, 2012 the City Council passed a resolution adopting the Budget for Fiscal Year 2012-13, of which \$211,375 was appropriated for the Tourism Fund of which \$50,000 was appropriated for publicity expenditures, and

WHEREAS the City Council has approved agreements authorizing publicity expenditures totaling \$59,350 with the Thousand Islands International Tourism Council (\$41,850), the Jefferson County Historical Society (\$12,500) and the Disabled Persons Action Organization (\$5,000),

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that it hereby re-adopts the Tourism Fund Budget for Fiscal Year 2012-13 in the total amount of \$220,725 and

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

<u>Revenues</u>	
Appropriated Fund Balance	<u>\$ 9,530</u>
Total	<u>\$ 9,530</u>
 <u>Expenditures</u>	
CT 6410.0430 Publicity	<u>\$ 9,350</u>
Total	<u>\$ 9,530</u>

Seconded by

Res No. 4

July 9, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving Salary Structure and Annual Increase for
Watertown Housing Authority Employees

In conformity with the requirements of the New York State Housing Law and the United States Housing Act, the City Council of the City of Watertown is being asked to approve salary increases for the employees of the Watertown Housing Authority (WHA). By correspondence dated June 27, 2012, the City was notified that the Watertown Housing Authority Board adopted a resolution establishing the cost of living increase for all employees at one and one-half percent (1.5%) effective July 1, 2012.

A resolution approving the recommended one and one-half percent (1.5%) cost of living increase for all employees of the Watertown Housing Authority is attached for City Council review. A copy of the 2012 salary schedules for the WHA is also attached for your review. Mr. Robare will be present at Monday's City Council meeting should the Council have any further questions regarding the WHA's recommendations.

RESOLUTION

Page 1 of 1

Approving Salary Structure, and Annual
Pay Increase for Watertown Housing
Authority Employees

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

YEA	NAY

Introduced by

Total

WHEREAS in conformity with the requirements of the New York State Public Housing Law § Section 32, Sub Division 1, compensation for Watertown Housing Authority employees can be fixed only upon the approval of the local legislative body, which is the City Council of the City of Watertown, and

WHEREAS the Watertown Housing Authority has reported that based on a comparability review of salaries for their employees with prevailing local government salaries, it is the desire of the Watertown Housing Authority Board to authorize a one and one-half percent (1.5%) cost of living increase for all employees effective July 1, 2012, and

WHEREAS by resolution adopted on June 21, 2012, the Watertown Housing Authority Board approved a one and one-half percent (1.5%) cost of living increase for all employees, effective July 1, 2012, by modification to its existing Administrative and Maintenance salary structures,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the 2012 salary structure for all employees of the Watertown Housing Authority which contains a one and one-half percent (1.5%) cost of living increase, effective July 1, 2012, salary structures are attached and made part of this resolution and

BE IT FURTHER RESOLVED that the incoming City Manager, Sharon Addison, is hereby authorized and directed to forward certified copies of the resolution to the Watertown Housing Authority.

Seconded by

Watertown Housing AUTHORITY



June 27, 2012

East Hills

Maywood
Terrace

Skyline
Apartments

Hilltop
Towers

Midtown
Towers

LeRay St.
Apartments

Meadowbrook
Apartments

Mr. John C. Krol
City Manager
Watertown Municipal Building
245 Washington Street
Watertown, New York 13601

Re: Annual Salary Comparability Approval by City Council

Dear Mr. Krol:

As required by the New York State Public Housing Law and the New York State Housing Act, the City Council of the City of Watertown needs to approve any salary changes for the Watertown Housing Authority (WHA) employees based on the comparability with prevailing local government wages. Recently at its regular meeting that was held at Midtown Towers, 142 Mechanic Street, Watertown, New York on Thursday, June 21, 2012, the WHA Board of Commissioners approved a 1.5% cost of living adjustment effective July 1, 2012.

The WHA Board is requesting a resolution by the City Council of Watertown approving the 1.5% cost of living adjustment effective July 1, 2012. A copy of the WHA's Board resolution and salary structure are enclosed for your review.

If you have any questions, you can contact me at the address or number below.

Sincerely,

Michael Robare
Executive Director

Cc: Jeffrey Graham, Mayor



Providing Decent, Safe and Affordable Housing

142 Mechanic St. • Watertown, NY 13601 • 315-782-1251
FAX: 315-782-9394 • www.WHANY.org

WATERTOWN HOUSING AUTHORITY
Administrative Office
Midtown Towers, 142 Mechanic Street
Watertown, NY 13601

Resolution #2012-8

The following Resolution was moved by Jason Burto, seconded by Carol Wright and unanimously carried:

BE IT RESOLVED that the Board of Commissioners of the Watertown Housing Authority hereby approve a 1.5 % Cost of Living increase for all Watertown Housing Authority employees effective July 1st 2012.

I hereby certify that the foregoing is a true copy and the whole of said Resolution adopted by the Watertown Housing Authority of June 21, 2012, and that said meeting was regularly called and duly constituted.

Witness my hand and seal of the Watertown Housing Authority this 21st day of June, 2012.

S
E
A
L



Michael Robare, Executive Director

Step System (Administration) that will become effective July 1, 2012

Watertown Housing Authority

Each year the steps will be adjusted accordingly with the cost of living adjustment (COLA) approved by the WHA Board, then by the City Council.

2012 COLA = 1.5%

POSITION	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
MANAGEMENT EMPLOYEES								
Executive Assistant (Salary)	\$38,828	\$40,187	\$41,593	\$43,049	\$44,556	\$46,115	\$47,729	\$49,400
Executive Assistant (Hourly)	\$21.33	\$22.08	\$22.85	\$23.65	\$24.48	\$25.34	\$26.22	\$27.14
Mod. & Maint. Manager (Salary)	\$47,190	\$48,842	\$50,552	\$52,321	\$54,152	\$56,047	\$58,009	\$60,039
Mod. & Maint. Manager (Hourly)	\$25.93	\$26.84	\$27.78	\$28.75	\$29.75	\$30.80	\$31.87	\$32.99
Occ. Supervisor (Salary)	\$39,554	\$40,939	\$42,372	\$43,855	\$45,390	\$46,978	\$48,623	\$50,324
Occ. Supervisor (Hourly)	\$21.73	\$22.49	\$23.28	\$24.10	\$24.94	\$25.81	\$26.72	\$27.65
Accounting Supervisor (Salary)	\$41,594	\$43,050	\$44,557	\$46,116	\$47,730	\$49,401	\$51,130	\$52,919
Accounting Supervisor (Hourly)	\$22.85	\$23.65	\$24.48	\$25.34	\$26.23	\$27.14	\$28.09	\$29.08
NON - MANAGEMENT EMPLOYEES								
Occupancy Clerks								
Clerks (Salary)	\$23,689	\$24,518	\$25,376	\$26,264	\$27,184	\$28,135	\$29,120	\$30,139
Clerks (Hourly)	\$13.02	\$13.47	\$13.94	\$14.43	\$14.94	\$15.46	\$16.00	\$16.56
Senior Occupancy Clerks								
Senior Clerks (Salary)	\$26,205	\$27,122	\$28,071	\$29,054	\$30,071	\$31,123	\$32,212	\$33,340
Senior Clerks (Hourly)	\$14.40	\$14.90	\$15.42	\$15.96	\$16.52	\$17.10	\$17.70	\$18.32
Account Clerk								
Acct. Clerk (Salary)	\$26,931	\$27,874	\$28,849	\$29,859	\$30,904	\$31,986	\$33,105	\$34,264
Acct. Clerk (Hourly)	\$14.80	\$15.32	\$15.85	\$16.41	\$16.98	\$17.57	\$18.19	\$18.83
Senior Account Clerk								
Senior Account Clerk (Salary)	\$31,210	\$32,302	\$33,433	\$34,603	\$35,814	\$37,068	\$38,365	\$39,708
Senior Account Clerk (Hourly)	\$17.15	\$17.75	\$18.37	\$19.01	\$19.68	\$20.37	\$21.08	\$21.82
Tenant Relations Coord.								
Ten. Rel. Coord. (Salary)	\$28,590	\$29,591	\$30,626	\$31,698	\$32,808	\$33,956	\$35,144	\$36,374
Ten. Rel. Coord. (Hourly)	\$15.71	\$16.26	\$16.83	\$17.42	\$18.03	\$18.66	\$19.31	\$19.99
Modernization Aide								
Mod. Aide (Salary)	\$29,172	\$30,193	\$31,250	\$32,343	\$33,475	\$34,647	\$35,860	\$37,115
Mod. Aide (Hourly)	\$16.03	\$16.59	\$17.17	\$17.77	\$18.39	\$19.04	\$19.70	\$20.39
Information Tech. Specialist								
Info. Tech. Specialist (Salary)	\$36,082	\$37,344	\$38,651	\$40,004	\$41,404	\$42,854	\$44,353	\$45,906
Info. Tech. Specialist (Hourly)	\$19.83	\$20.52	\$21.24	\$21.98	\$22.75	\$23.55	\$24.37	\$25.22
Stock Attendant								
Stock Attendant (Salary)	\$28,420	\$29,415	\$30,445	\$31,510	\$32,613	\$33,755	\$34,936	\$36,159
Stock Attendant (Hourly)	\$13.66	\$14.14	\$14.64	\$15.15	\$15.68	\$16.23	\$16.80	\$17.38
Building Inspector								
Building Inspector (Salary)	\$37,665	\$38,983	\$40,347	\$41,760	\$43,221	\$44,734	\$46,300	\$47,920
Building Inspector (Hourly)	\$18.11	\$18.74	\$19.40	\$20.08	\$20.78	\$21.51	\$22.26	\$23.04

Step System (Maintenance) that will become effective July 1, 2012

Watertown Housing Authority

Each year the steps will be adjusted accordingly with the cost of living adjustment (COLA) approved by the WHA Board, then by the City Council.

2012 COLA = 1.5%

POSITION	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<u>Painters/Cleaners</u>										
Painters & Cleaners (Salary)	\$24,285	\$25,135	\$26,014	\$26,925	\$27,867	\$28,843	\$29,852	\$30,897	\$31,978	\$33,098
Painters & Cleaners (Hourly)	\$11.68	\$12.08	\$12.51	\$12.94	\$13.40	\$13.87	\$14.35	\$14.85	\$15.37	\$15.91
<u>Building Maintenance Worker</u>										
Building Maintenance (Salary)	\$26,691	\$27,626	\$28,592	\$29,593	\$30,629	\$31,701	\$32,811	\$33,959	\$35,147	\$36,378
Building Maintenance (Hourly)	\$12.83	\$13.28	\$13.75	\$14.23	\$14.73	\$15.24	\$15.77	\$16.33	\$16.90	\$17.49
<u>Crew Chief</u>										
Crew Chief (Salary)	\$34,126	\$35,321	\$36,557	\$37,836	\$39,161	\$40,531	\$41,950	\$43,418	\$44,938	\$46,510
Crew Chief (Hourly)	\$16.41	\$16.98	\$17.58	\$18.19	\$18.83	\$19.49	\$20.17	\$20.87	\$21.60	\$22.36

July 12, 2012

To: The Honorable Mayor and City Council

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

Subject: CFA Application for the Watertown Municipal Arena

At the Regular Meeting of the City Council on July 2, Mayor Graham requested City staff prepare an application to submit the Watertown Municipal Arena to the North Country Regional Economic Development Council's list of regionally transformative projects. The application is being prepared and submitted through the Consolidated Funding Application Process. The application is underway and will be submitted by the July 16 deadline.

The scope of the project being applied for is based on the 2009 Ice Arena Report by the engineering firm Bernier Carr and Associates, PC. This report recommends a comprehensive 10-year improvement plan that includes the replacement of the roof, repainting the structural steel, adding an arena ceiling, and upgrades to the fire suppression and alarm system. Further, this report recommends the construction of two entrance vestibules, an addition to house the Zamboni, and a locker room addition. Additionally, the plan also calls for bleacher replacement, lighting upgrades, the construction of a stage addition, the construction of a lobby addition, and toilet room additions. The overall cost of the project is estimated to be \$5,695,750.

Before considering the attached resolution, Council must first consider the State Environmental Quality Review Short Environmental Assessment form, Part II and Part III if necessary.

RESOLUTION

Page 1 of 1

Authorizing a Grant Application to the North Country Regional Economic Development Council Capital Fund and Empire State Development for Improvements and Renovations to the Watertown Municipal Arena

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

Total

YEA	NAY

Introduced by

WHEREAS the City Council of the City of Watertown desires to make the improvements to the Watertown Municipal Arena, as detailed in the May 2009 Ice Arena Study preformed by the engineering firm Bernier Carr and Associates, PC, and

WHEREAS the State of New York has announced that grant funds are available through the North Country Regional Economic Development Council for regionally transformative projects, and

WHEREAS the City Council of the City of Watertown believes that the recommended upgrades detailed in the 2009 Arena Report would be regionally transformative for the North Country Region, and

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, 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 construction and improvements constitute 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 that Elliott B. Nelson, as Assistant to the City Manager of the City of Watertown, is hereby authorized and directed to file an application for funds from the North Country Regional Economic Development Council Capital Fund and Empire State Development for construction and improvements to the Watertown Municipal Arena.

Seconded by

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)

<p>1. APPLICANT/SPONSOR City of Watertown</p>	<p>2. PROJECT NAME Municipal Arena Upgrade</p>
<p>3. PROJECT LOCATION: Municipality City of Watertown County Jefferson</p>	
<p>4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 600 William T. Field Drive, Watertown, NY 13601</p>	
<p>5. PROPOSED ACTION IS: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration</p>	
<p>6. DESCRIBE PROJECT BRIEFLY: The City is looking to implement the recommendations included in the 2009 Arena Report, which details a comprehensive ten-year improvement time line for extensive renovations.</p>	
<p>7. AMOUNT OF LAND AFFECTED: Initially <u>1</u> acres Ultimately <u>1</u> acres</p>	
<p>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</p>	
<p>9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input checked="" type="checkbox"/> Other Describe: Municipal Arena</p>	
<p>10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: Various state grant applications</p>	
<p>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:</p>	
<p>12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p style="text-align: center;">I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE</p> Applicant/sponsor name: <u>Elliott B. Nelson</u> Date: <u>July 12, 2012</u> Signature: _____	

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? Yes No If yes, coordinate the review process and use the FULL EAF.

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)

Reset

Res Nos. 6 and 7

July 12, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving Amendment No. 4 to the State Assistance Contract for Sewall's Island Environmental Restoration Program and Amendment No. 4 to the Agreement for Professional Services With Lu Engineers

The Interim Remedial Measure for the petroleum spill on Sewall's Island is complete, but it took longer than anticipated to pump the oil out of the ground. Instead of the expected one and a half months, it took three months. The New York State Department of Environmental Conservation (DEC) is offering to increase the Environmental Restoration Program (ERP) Grant to pay for 90% of the additional cost.

There will continue to be elevated levels of polycyclic aromatic hydrocarbons (PAHs) and metals spread throughout the site that would be cost prohibitive to remove. The site can be redeveloped as long as there are engineering/institutional controls in place to minimize human contact with the contaminants. A Site Management Plan is required to describe these controls. The DEC is also willing to pay for 90% of the cost of this plan.

Lu Engineers is estimating that the additional work cost will be \$44,350. The State will pay \$39,900, and the City's match will be \$4,450.

This will bring the total cost to \$900,545. The total ERP amount will be \$705,540, and the City's total share will be \$16,054. The rest of the funding came from the U.S. Environmental Protection Agency.

Two resolutions have been prepared for City Council's consideration. The first approves Amendment No. 4 to the State Assistance Contract, which increases the ERP Grant amount to \$705,540. The second resolution approves Amendment No. 4 to the contract with Lu Engineers, which increases their fee to \$900,545.

RESOLUTION

Page 1 of 1

Approving Amendment No. 4 to the State Assistance Contract for Sewall's Island Environmental Restoration Program Grant

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 New York State Department of Environmental Conservation and the City of Watertown entered into a State Assistance Contract on April 22, 2008, as amended on February 25, 2010, April 6, 2011 and March 26, 2012 for the environmental remedial investigation on Sewall's Island, and

WHEREAS the Interim Remedial Measure for a petroleum spill took longer than expected, and a Site Management Plan is required for the site, and

WHEREAS the New York State Department of Environmental Conservation is proposing to amend the contract to provide an additional \$39,900 from the State, which must be matched by the City of Watertown with \$4,450, and

WHEREAS the State of New York has drafted Contract Amendment No. 4, which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown that it hereby approves Amendment No. 4 to the State Assistance Contract for the Sewall's Island Environmental Restoration Program Grant, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute Amendment No. 4 on behalf of the City of Watertown.

Seconded by

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
1996 CLEAN WATER/CLEAN AIR BOND ACT
ENVIRONMENTAL RESTORATION PROGRAM
STATE ASSISTANCE CONTRACT

IN RE:

Municipality Name: City of Watertown

Site Name: Sewall's Island

Site Address: 400 Pearl Street

Contract Number: C303560

Watertown, NY

Site Number: E623021

Amendment Number: 4

This CONTRACT (Amendment No. 4) is made between the New York State Department of Environmental Conservation (Department), acting for and on behalf of the State, and the City of Watertown (Municipality), with offices located at Room 302, Municipal Building, 245 Washington Street, Watertown, NY 13601-3380.

WITNESSETH

WHEREAS, the Department and the Municipality entered into a contract on April 22, 2008 (Original Contract), which was duly assigned Contract No. C303560 by the Office of the State Comptroller (State Comptroller); and

WHEREAS, the Original Contract was modified by the parties by Amendment No. 1, dated February 25, 2010; Amendment No. 2 dated April 6, 2011; Amendment No. 3 dated March 26, 2012; and

WHEREAS, State Assistance to the Municipality is being increased by this Amendment No. 4 in the amount of thirty-nine thousand nine hundred dollars (\$39,900), for a total of seven hundred five thousand five hundred forty dollars (\$705,540); and

WHEREAS, there are circumstances necessitating a modification of the Original Contract and the parties desire to amend said Original Contract,

NOW, THEREFORE, in consideration of the mutual covenants, promises, representations, and conditions made herein, the parties agree as follows:

(1). Section VI of the Original Contract, entitled "State Assistance Amount", is hereby revised and updated as follows:

The Commissioner shall pay the Municipality for its Eligible Costs in conducting the Project in an amount not to exceed seven hundred five thousand five hundred forty dollars (\$705,540), which amount has been determined by the Commissioner to be up to 90 percent of

the estimated Eligible Costs for on-site work and up to 100 percent of the Eligible Costs of any off-site work directed by the Department to be undertaken outside the boundaries of the Site that is approved by the Department. The Department shall not pay for work that is not an Approved Activity, as defined in the "Glossary" which is attached and made a part of this Contract. The Department shall not pay for Department-approved proposed work that was not completed to the Department's satisfaction. Municipality may contribute its share of the Eligible Costs of the project from sources deemed eligible pursuant to Article 56 and its regulations thereto. If the final Eligible Costs are lower than those used to calculate the estimated Eligible Costs amount, the parties agree to either amend this State Assistance Contract to apply the same percentage shown above to the final Eligible Costs in order to determine the revised contract amount if the project is ongoing, or to reimburse the Municipality based on the final Eligible Costs and disencumber the unexpended contract amount and close out the contract, if the project is completed. Upon request by the Department, the Municipality agrees to execute and return the Contract Amendment to the Department within 90 days of receipt of a Contract Amendment that will identify the revised Contract amount.

(2). The Scope of Work, Schedule A, is hereby deleted and replaced with a new Scope of Work.

(3). Payments for expenditures incurred under this contract will be rendered electronically to the Recipient unless payment by paper check is expressly authorized by the Commissioner of the Department (Commissioner), in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Recipient shall comply with the Comptroller's procedures to authorize electronic payments. Authorization forms are available at the Comptroller's website at www.osc.state.ny.us/epay/index.htm, by e-mail at epunit@osc.state.ny.us or by telephone at (518) 474-4032. The Recipient acknowledges that it will not receive payment under this Contract if it does not comply with the Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

(4). This Contract and Amendment No. 4 will be effective upon approval and filing by the State Comptroller in accordance with Section 112 of the State Finance Law.

(5). Except as specifically modified herein, all terms and conditions of the Original Contract remain in full force and effect.

NEW YORK STATE
ENVIRONMENTAL RESTORATION PROGRAM
STATE ASSISTANCE CONTRACT

In witness whereof, the parties have signed this Contract on the date indicated opposite each signature. The signatory for the Department provides the following Agency Certification: "In addition to the acceptance of this Contract, I also certify that original copies of this signature page will be attached to all other exact copies of this Contract."

FOR DEC

By: _____

Title: _____

Date: _____

FOR DOL

Approved as to form:

By: _____
for the Attorney General

Date: _____

FOR OSC

Approved:

Thomas P. DiNapoli
State Comptroller

By: _____

Date: _____

The contract is not effective until it is approved by the NYS Office of the State Comptroller and filed in his office (Section 112, State Finance Law).

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
 1996 CLEAN WATER/CLEAN AIR BOND ACT
 ENVIRONMENTAL RESTORATION PROGRAM
 STATE ASSISTANCE CONTRACT

SCHEDULE A

Scope of Work

Municipality Name:	City of Watertown	
Site Name:	Sewall's Island	
Site Address:	40 Pearl Street	Contract Number: C303145
	Watertown, NY	
Site Number: E623021		Amendment Number: 4

GENERAL PURPOSE

The general purpose of this project is to undertake all approved activities necessary to complete the Project required by this Contract. Project-specific Work Plans will become part of and enforceable under this Contract upon approval by the Department.

GENERAL SCOPE

INVESTIGATION:

The Remedial Investigation/Alternatives Analysis Report (RI/AAR) will involve all tasks necessary to investigate the site conditions, determine the public health and environmental impacts of the site, and to utilize this information to develop and evaluate appropriate remedial actions. During the RI/AAR, the Municipality will also remove and properly dispose of contaminants within all containment vessels, such as drums, tanks and transformers, located on the Site.

Specific tasks include: work plan development, site characterization, investigation of off-site impacts, a survey of the site and a metes and bounds description of the site, an exposure assessment, development of alternatives, screening of alternatives, post-screening field work, detailed analysis of alternatives, data validation, and public participation. Data collection and analysis will provide a sufficient basis for the Department to prepare a Proposed Remedial Action Plan (PRAP) and present it to the public.

INVESTIGATION CALCULATION:

	On-site	Off-site	Demolition/ Asbestos	Total
Total Eligible Cost:	\$728,377	\$50,000	\$0	\$778,377
Percentage:	90%	100%	50%	N/A
Total SAC Amount:	\$655,540	\$50,000	\$0	\$705,540
			Less: Executed SAC Amount:	<u>\$665,640</u>
			SAC Amendment Amount:	\$39,900

STANDARD CLAUSES FOR NYS CONTRACTS

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

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

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

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

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

required to be covered by the provisions of the Workers' Compensation Law.

5. **NON-DISCRIMINATION REQUIREMENTS.** To the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor will not discriminate against any employee or applicant for employment because of race, creed, color, sex, national origin, sexual orientation, age, disability, genetic predisposition or carrier status, or marital status. Furthermore, in accordance with Section 220-e of the Labor Law, if this is a contract for the construction, alteration or repair of any public building or public work or for the manufacture, sale or distribution of materials, equipment or supplies, and to the extent that this contract shall be performed within the State of New York, Contractor agrees that neither it nor its subcontractors shall, by reason of race, creed, color, disability, sex, or national origin: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. If this is a building service contract as defined in Section 230 of the Labor Law, then, in accordance with Section 239 thereof, Contractor agrees that neither it nor its subcontractors shall by reason of race, creed, color, national origin, age, sex or disability: (a) discriminate in hiring against any New York State citizen who is qualified and available to perform the work; or (b) discriminate against or intimidate any employee hired for the performance of work under this contract. Contractor is subject to fines of \$50.00 per person per day for any violation of Section 220-e or Section 239 as well as possible termination of this contract and forfeiture of all moneys due hereunder for a second or subsequent violation.

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

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

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

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

10. RECORDS. The Contractor shall establish and maintain complete and accurate books, records, documents, accounts and other evidence directly pertinent to performance under this contract (hereinafter, collectively, "the Records"). The Records must be kept for the balance of the calendar year in which they were made and for six (6) additional years thereafter. The State Comptroller, the Attorney General and any other person or entity authorized to conduct an examination, as well as the agency or agencies involved in this contract, shall have access to the Records during normal business hours at an office of the Contractor within the State of New York or, if no such office is available, at a mutually

agreeable and reasonable venue within the State, for the term specified above for the purposes of inspection, auditing and copying. The State shall take reasonable steps to protect from public disclosure any of the Records which are exempt from disclosure under Section 87 of the Public Officers Law (the "Statute") provided that: (i) the Contractor shall timely inform an appropriate State official, in writing, that said records should not be disclosed; and (ii) said records shall be sufficiently identified; and (iii) designation of said records as exempt under the Statute is reasonable. Nothing contained herein shall diminish, or in any way adversely affect, the State's right to discovery in any pending or future litigation.

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

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

12. EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITIES AND WOMEN. In accordance with Section 312 of the Executive Law and 5 NYCRR 143, if this contract is: (i) a written agreement or purchase order instrument, providing for a total expenditure in excess of \$25,000.00, whereby a contracting agency is committed to expend or does expend funds in return for labor, services, supplies, equipment, materials or any combination of the foregoing, to

be performed for, or rendered or furnished to the contracting agency; or (ii) a written agreement in excess of \$100,000.00 whereby a contracting agency is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon; or (iii) a written agreement in excess of \$100,000.00 whereby the owner of a State assisted housing project is committed to expend or does expend funds for the acquisition, construction, demolition, replacement, major repair or renovation of real property and improvements thereon for such project, then the following shall apply and by signing this agreement the Contractor certifies and affirms that it is Contractor's equal employment opportunity policy that:

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

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

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

Contractor will include the provisions of "a", "b", and "c" above, in every subcontract over \$25,000.00 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor. Section 312 does not apply to: (i) work, goods or services unrelated to this contract; or (ii) employment outside New York State. The State shall consider compliance by a contractor or subcontractor with the requirements of any federal law concerning equal employment opportunity which effectuates the purpose of this section. The contracting agency shall determine whether the imposition of the requirements of the provisions hereof duplicate or conflict

with any such federal law and if such duplication or conflict exists, the contracting agency shall waive the applicability of Section 312 to the extent of such duplication or conflict. Contractor will comply with all duly promulgated and lawful rules and regulations of the Department of Economic Development's Division of Minority and Women's Business Development pertaining hereto.

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

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

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

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

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

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

In addition, when any portion of this contract involving the use of woods, whether supply or installation, is to be performed by any subcontractor, the prime Contractor will indicate and certify in the submitted bid proposal that the

subcontractor has been informed and is in compliance with specifications and provisions regarding use of tropical hardwoods as detailed in §165 State Finance Law. Any such use must meet with the approval of the State; otherwise, the bid may not be considered responsive. Under bidder certifications, proof of qualification for exemption will be the responsibility of the Contractor to meet with the approval of the State.

19. MACBRIDE FAIR EMPLOYMENT PRINCIPLES.

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

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

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

NYS Department of Economic Development
Division for Small Business
30 South Pearl St -- 7th Floor
Albany, New York 12245
Telephone: 518-292-5220
Fax: 518-292-5884
<http://www.empire.state.ny.us>

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

NYS Department of Economic Development
Division of Minority and Women's Business Development
30 South Pearl St -- 2nd Floor
Albany, New York 12245
Telephone: 518-292-5250
Fax: 518-292-5803
<http://www.empire.state.ny.us>

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

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

retained the documentation of these efforts to be provided upon request to the State;

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

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

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

21. RECIPROCITY AND SANCTIONS PROVISIONS.

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

22. COMPLIANCE WITH NEW YORK STATE INFORMATION SECURITY BREACH AND NOTIFICATION ACT.

Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 899-aa; State Technology Law Section 208).

23. COMPLIANCE WITH CONSULTANT DISCLOSURE LAW.

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

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

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

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

RESOLUTION

Page 1 of 1

Approving Amendment No. 4 to the Agreement for Professional Services With Lu Engineers for the Environmental Investigations on Sewall's Island

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

Total

YEA	NAY

Introduced by

WHEREAS the City Council approved an Agreement for Professional Services for the environmental investigation on Sewall's Island with Lu Engineers on February 20, 2007, and amended the Agreement on June 21, 2010, April 18, 2011, and November 21, 2011, and

WHEREAS the City Council has been awarded additional funding through its State Assistance Contract for an Environmental Restoration Program Grant to complete Interim Remedial Measures and a Site Management Plan for Sewall's Island, and

WHEREAS a fourth Amendment to the Agreement for Professional Services that increases Lu Engineers fee for services to \$900,545 has been drafted,

NOW THEREFORE BE IT RESOLVED that the City Council approves Amendment No. 4 to the Agreement for Professional Services with Lu Engineers, which is attached and made part of this resolution, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute said Amendment on behalf of the City of Watertown.

Seconded by

AGREEMENT AMENDMENT NO. 4

The Agreement entered into on the 14th day of February 2007 by and between the City of Watertown, a municipal corporation having its principal office located at 245 Washington Street, Watertown, New York 13601, hereinafter referred to as the "City" and Lu Engineers with its principal office at 175 Sullys Trail, Pittsford, New York 14534, hereinafter referred to as the "Consultant," is hereby amended.

WITNESSETH:

WHEREAS the City requires additional services of the Consultant for the purpose of completing Interim Remedial Measures and a Site Management Plan for the Sewall's Island Environmental Restoration Project (ERP Site No. E623021),

NOW THEREFORE, the City and the Consultant do mutually agree to amend their Agreement dated the 14th day of February 2007 as follows:

The fee listed in Sections 1.601 and 1.602 shall now be Nine Hundred Thousand, Five Hundred Fourty-Five Dollars and 00 cents (\$900,545.00).

City of Watertown

By: Sharon Addison
City Manager

State of New York)
) ss.
County of Jefferson)

Sworn to before me this ____ day of _____ 2012

Notary Public

Lu Engineers

By:

State of New York)
) ss.
County of)

Sworn to before me this ____ day of _____ 2012

Notary Public

Res No. 8

July 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115

A request has been submitted by Phillip Banazek for the above subject site plan amendment. The proposed amendment eliminates a section of fencing along the eastern property line as requested by the neighboring property owner.

The Planning Board reviewed the request at its May 1, 2012 and July 3, 2012 meetings. At the latter meeting, the Planning Board adopted a motion recommending that the City Council approve the site plan amendment as requested by the applicant in their June 26, 2012 e-mail message. Attached are copies of the reports on the request prepared for the Planning Board and excerpts from its minutes.

This project has already been the subject of an environmental review by the City Council. The elimination of the fence is a minor alteration to the original site plan and is not significant enough to alter the Environmental Assessment Form (EAF) or the outcome of that review. A copy of the previously completed EAF is attached.

The resolution prepared for City Council consideration approves the site plan amendment submitted to the City Engineering Department on April 20, 2012 and revised via e-mail on June 26, 2012.

RESOLUTION

Page 1 of 2

Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115

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 Phillip Banazek has submitted a request to amend the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street, originally approved at the October 17, 2012 City Council meeting, and

WHEREAS the Planning Board of the City of Watertown reviewed the site plan amendment at its meetings held on May 1, 2012 and July 3, 2012, and recommended that the City Council of the City of Watertown amend the site plan approval as follows:

1. The applicant shall not be required to install fencing along the portion of the eastern property line shared with 143 Mullin Street, parcel number 10-15-116.

And,

WHEREAS the City Council has previously declared that this project will not have a significant effect on the environment, pursuant to the State Environmental Quality Review Act,

NOW THEREFORE BE IT RESOLVED that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Codes Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement

RESOLUTION

Page 2 of 2

Amending the October 17, 2011 Site Plan Approval for the Morgia Group Offices at 151 Mullin Street, Parcel 10-15-115

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

Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that the amended site plan approval is hereby granted to Phillip Banazek, annulling the requirement for fencing along the portion of the eastern property line shared with 143 Mullin Street, parcel 10-15-116, as submitted to the City Engineer on April 20, 2012, and revised via e-mail on June 29, 2012.

Seconded by



MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE
245 WASHINGTON STREET, SUITE 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: Tabled Site Plan Amendment – 151 Mullin Street, Parcel 10-15-115

DATE: June 27, 2012

At its October 17, 2012 meeting, the City Council approved the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street.

At the May 1, 2012 Planning Board meeting, the Board considered a request to remove the requirement for a new stockade fence along the parcel's rear property lines. There was some discussion between the applicant and neighboring property owners regarding appropriate visual screening between the new office building and the residences that border its rear yard.

The Board voted to table the application with the understanding that the applicant would contact neighboring property owners directly and return with a negotiated solution.

The applicant has communicated via email that they will move ahead with the installation of fencing as depicted in the site plan, with the small change that no fencing will be installed along the shared property line with Mr. Kant's parcel to the east (PN 10-15-116).

Attached are the applicant's original request, minutes from the previous meeting, and the applicant's recent email correspondence.

Cc: City Council Members
Robert Slye, City Attorney
Justin Wood, Civil Engineer II
Phillip Banazek, M&P Real Estate, 151 Mullin St.
Alan Kant, 143 Mullin St.
Robert Purcell, 566 Coffeen St.
Elizabeth Bonisteel, 140 Ten Eyck St.



MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE
245 WASHINGTON STREET, SUITE 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

SUBJECT: Tabled Site Plan Amendment – 151 Mullin Street, Parcel 10-15-115 *KAM*

DATE: May 24, 2012

At its October 17, 2012 meeting, the City Council approved the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street.

At the May 1, 2012 Planning Board meeting, the Board considered a request to remove the requirement for a new stockade fence along the parcel's rear property lines. There was some discussion between the applicant and neighboring property owners regarding appropriate visual screening between the new office building and the residences that border its rear yard.

The Board voted to table the application with the understanding that the applicant would contact neighboring property owners directly and return with a negotiated solution. The Planning Office has not heard from the applicant since that meeting.

Attached for your review are the applicant's request letter, site plan, and an excerpt from the May 1st minutes.

Cc: City Council Members
Robert Slye, City Attorney
Justin Wood, Civil Engineer II
Phillip Banazek, M&P Real Estate, 151 Mullin St.
Alan Kant, 143 Mullin St.
Robert Purcell, 566 Coffeen St.
Elizabeth Bonisteel, 140 Ten Eyck St.



MEMORANDUM

CITY OF WATERTOWN, NEW YORK – PLANNING OFFICE
245 WASHINGTON STREET, SUITE 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

SUBJECT: Site Plan Amendment – 151 Mullin Street, Parcel 10-15-115 

DATE: April 23, 2012

At its October 17, 2012 meeting, the City Council approved the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street.

This Site Plan called for the removal of a chain link fence along the southern property line, and the construction of a new wooden stockade fence along the southern and eastern property lines. The project owner's representative, Phillip Banazek, has requested that these provisions be removed from the approval.

The neighbor to the east, Alan Kant, has contacted the Planning Office to explain that he would prefer to have an open view of the parking lot and lawn, rather than one obscured by fencing.

Further, the applicant has stated that the existing chain link fence is not on their property and thus cannot be removed. They have proposed to leave it in place, rather than install a new stockade fence.

The fencing in question was included on the site plan voluntarily by the applicant—not by request of staff or the Board. However, this fencing is a component of the required 5-15 foot buffer between the property and any adjacent residential use. The Board may wish to recommend additional plantings in the rear of the lot given the lack of new fencing.

Cc: City Council Members
Robert Slye, City Attorney
Justin Wood, Civil Engineer II
Phillip Banazek, M&P Real Estate, 151 Mullin St.
Alan Kant, 143 Mullin St.
Robert Purcell, 566 Coffeen St.
Elizabeth Bonisteel, 140 Ten Eyck St.
Patrick Currier, 522 Bradley St.

Nichols, Andrew

From: Banazek, PJ [PJBanazek@hightoweradvisors.com]
Sent: Tuesday, June 26, 2012 3:52 PM
To: Nichols, Andrew; etbonisteel@gmail.com
Cc: Mix, Kenneth
Subject: RE: July 3rd Planning Board Meeting

Follow Up Flag: Follow up
Flag Status: Completed

Andrew, thank you for your email, as its serves as a reminder that I need to keep this moving.

We have worked with our neighbor (Liz Bonisteel) in trying to work out a solution that would replace a fence. We have determined that replacing the fence with any sort of Landscaping is not really feasible. We will be working in the near term to get a contractor to install a fence as out lined on the original site plan, with the one modification that was previous agreed regarding the fence stopping at the corner of Mr. Kant's property line.

Please let me know if I need to attend the meeting to relay this information to the planning board.

Thank you,

P.J. Banazek, CFP
Managing Director, Partner
The Morgia Group
Hightower Advisors
151 Mullin Street
Watertown, NY 13601
(o)315-222-7148
(t) 888-369-8880
PJbanazek@hightoweradvisors.com

From: Nichols, Andrew [mailto:ANichols@watertown-ny.gov]
Sent: Tuesday, June 26, 2012 3:28 PM
To: Banazek, PJ
Cc: Mix, Kenneth
Subject: July 3rd Planning Board Meeting

Mr. Banazek,

I am currently working on putting together the agenda and review materials for the upcoming Planning Board meeting. As you know, your request to amend the site plan for your office at 151 Mullin Street is still on the agenda.

Have you made any progress on finalizing your request? If possible we would like to give the Board something to vote on so we can move this on through to City Council.

If you have come to an agreement and are planning to attend the upcoming meeting, I will go ahead and re-distribute your request letter when I send out the agendas. If not, I will verbally relay to the Board that you would like the application to remain "on the table" for next month.

M&P Real Estate, LLC.
151 Mullin Street
Watertown, NY 13601



Watertown Planning Board

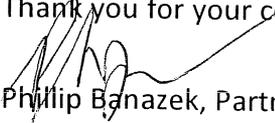
Request for Change to Site Plan for 151 Mullin Street

The original site plan that was approved for the construction of an office building at 151 Mullin Street included a wood stockade fence that would outline the south and east perimeter of the property starting at the south east corner of the building. This fence would replace a chain link fence that existed on the South and south eastern portion of our property.

We are requesting that the plan be changed and that the fence be removed from the site plan. There are two reasons for the request.

1. Our neighbor, Alan Kant, to the immediate east of our property has requested that we do not install a fence. It is our understanding that he has already contacted the planning board, or members of the planning board, to express his concern about the installation of the fence. Mr. Kant's property is the property that would be impacted the greatest by the installation of the fence.
2. We are fairly certain that we do not own the chain link fence that was to be removed and replaced by the wood stockade fence. A good portion of the chain link fence is installed on the property of our neighbor on the south side of our property and is installed so that it connects to their garage.

Thank you for your consideration of this matter.


Phillip Banazek, Partner
M&P Real Estate, LLC.

Excerpt from 7/3/12 Planning Board Meeting Minutes

**TABLED SITE PLAN AMENDMENT – MORGIA GROUP OFFICES
151 MULLIN STREET – PARCEL 10-15-115**

The Planning Board then considered the tabled request submitted by Phillip Banazek to remove the requirement for a wood stockade fence along the south and east property lines of 151 Mullin Street, parcel 10-15-115, as depicted in the site plan approved by City Council on October 17, 2011.

Mr. Banazek was not present, but had indicated by email that after discussions with Elizabeth Bonisteel following the previous meeting, they were unable to come up with an appropriate landscaping alternative. Mr. Banazek is now requesting that only the fence along Mr. Kant's property be eliminated from the site plan, with the rest being constructed as drawn.

Mr. Fontana made a motion to recommend that City Council amend the site plan submitted by Patrick Currier of Aubertine & Currier, on behalf of the Morgia Group, for the construction of a 3,490 square foot office building and parking lot at 151 Mullin Street, parcel 10-15-115, originally approved on October 17, 2011, as follows:

1. The applicant shall not be required to install fencing along the portion of the eastern property line shared with 143 Mullin Street, parcel number 10-15-116.

There was some discussion regarding the history of the request. Mr. Katzman and Mr. Davis expressed concern that the fence would not look appropriate as designed. Mr. Davis suggested using an Arborvitae hedge, or other vegetated buffer.

Mr. Mix stated that the fence to the south was part of the approved site plan and Mr. Banazek has amended his request to include only the deletion of the fence to the east, which the neighbor does not want. Therefore, the sole issue before the Board is the removal of the fence on the east side.

Mrs. Gervera seconded Mr. Fontana's motion. All voted in favor.

Excerpt from 5/1/12 Planning Board Meeting Minutes

SITE PLAN AMENDMENT – MORGIA GROUP OFFICES 151 MULLIN STREET – PARCEL 10-15-115

The Planning Board then considered a request for an amendment of site plan approval submitted by Phillip Banazek to remove the requirement for a wooden fence along the south and east property lines of 151 Mullin Street, parcel 10-15-115, as depicted in the site plan approved by City Council on October 17, 2011.

Mr. Banazek was present to explain the request. He approached the Board and stated that he was not aware that the fencing in question had been included on the site plan, and that he would prefer to keep the yard open. Further, his firm does not own the existing chain link fence, and thus cannot remove it as noted on the site plan.

Alan Kant of 143 Mullin Street addressed the Board. He complimented the Morgia Group for building such a nice project, and welcomed them to the neighborhood. He stated that he simply does not want a fence along his back yard.

Elizabeth Bonisteel of 140 Ten Eyck Street addressed the Board. She stated that she owns part of the chain link fence that was slated for removal. She stated that she would like to have it replaced with a more opaque stockade fence in light of the fact that her view will be of a parking lot rather than an open lawn as before. She said that she hoped the plan would stay as-is, at least for the section along her property.

Mr. Fipps asked her to clarify that she was requesting that the fence remain along the back section of the Morgia property.

Mr. Harris asked if a hedge would be acceptable. Mrs. Bonisteel stated that she would prefer a fence to keep pedestrians from cutting across the yard.

Mr. Banazek stated that he would rather not construct a new fence because there are many trees along the property line, so he would need to either remove the trees or bring the fence in from the property line, giving up substantial lawn space.

Mr. Lumbis suggested that the fence could be installed with breaks at the existing tree trunks and still be kept close to the property line.

There was some general discussion among the applicant and the neighbors regarding different options for providing an acceptable buffer.

Mrs. Gervera said that it appears the applicant and neighbors need more time to come to an agreement on the proposal. She suggested tabling the application until next month, on the assumption that the affected parties could meet before then to reach an agreement.

Mr. Kant asked if he was needed at the next meeting.

Mr. Nichols stated that it seems everyone is in agreement that the section of fencing along his property could be removed from the plan, so he need not attend.

Mr. Fontana moved to table the application. Mr. Harris seconded, all voted in favor.



1869

**CITY OF WATERTOWN
SITE PLAN APPLICATION
AND
SHORT ENVIRONMENTAL
ASSESSMENT FORM, PART 1**

**** Provide responses for all sections. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Failure to submit required information by the submittal deadline will result in **not** making the agenda for the upcoming Planning Board meeting.**

PROPERTY LOCATION

Proposed Project Name: Morgia Group New Office
Tax Parcel Number: 10-15-115.000
Property Address: 151 Mullin Street, Watertown
Existing Zoning Classification: _____

OWNER OF PROPERTY

Name: Cynthia M. Fearon Living Trust
Address: 151 Mullin Street
Watertown, New York 13601
Telephone Number: _____
Fax Number: _____

APPLICANT

Name: Aubertine and Currier Architects, Engineers & Land Surveyors PLLC
Address: 522 Bradley Street
Watertown, New York 13601
Telephone Number: 315-782-2005
Fax Number: 315-782-1472
Email Address: pjc@aubertinecurrier.com

ENGINEER/ARCHITECT/SURVEYOR

Name: Aubertine and Currier Architects, Engineers & Land Surveyors PLLC
Address: 522 Bradley Street
Watertown, New York 13601
Telephone Number: 315-782-2005
Fax Number: 315-782-1472
Email Address: pjc@aubertinecurrier.com

PROJECT DESCRIPTION

Describe project and proposed use briefly:

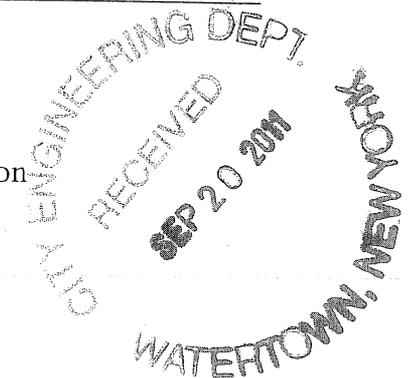
The proposed office building shall be 54' x 54' with a
partial second floor. The building shall be wood framed
construction and the parking shall be expanded to provide
for 15 vehicles.

Is proposed Action:

- New Expansion Modification/Alteration

Amount of Land Affected:

Initially: _____ Acres Ultimately: _____ Acres



Will proposed action comply with existing zoning or other existing land use restrictions?

- Yes No If no, describe briefly

What is present land use in vicinity of project?

- Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe: _____

Does project involve a permit approval, or funding, now or ultimately from any other Governmental Agency (Federal, State or Local)?

- Yes No If yes, list agency(s) and permit/approval(s)

Does any aspect of the project have a currently valid permit or approval?

- Yes No If yes, list agency(s) and permit/approval(s)

As a result of proposed project, will existing permit/approval require modification?

Yes No

Proposed number of housing units (if applicable): N/A

Proposed building area: 1st Floor 2,961 Sq. Ft.

2nd Floor 529 Sq. Ft.

3rd Floor N/A Sq. Ft.

Total 3,490 Sq. Ft.

Area of building to be used for the boiler room, heat facilities, utility facilities
and storage: 2,961 (basement) Sq. Ft.

Number of parking spaces proposed: 15

Construction Schedule: Fall 2011

Hours of Operation: 8:00am - 5:00pm

Volume of traffic to be generated: Minimal ADT

GENERAL INFORMATION

ALL ITEMS ARE STAMPED & SIGNED WITH AN ORIGINAL SIGNATURE BY A PROFESSIONAL ENGINEER, ARCHITECT, LANDSCAPE ARCHITECT, OR SURVEYOR LICENSED AND CURRENTLY REGISTERED TO PRACTICE IN THE STATE OF NEW YORK.

If required, a copy of the Stormwater Pollution Prevention Plan (SWPPP) submitted to the NYSDEC will also be sent to the City of Watertown Engineering Department.

If required, a copy of all submittals sent to the New York State Department of Environmental Conservation (NYSDEC) for the sanitary sewer extension permit will also be sent to the City of Watertown Engineering Department

If required, a copy of all submittals sent to the New York State Department of Health (NYSDOH) will also be sent to the City of Watertown Engineering Department.

Signage will not be approved as part of this submission. It requires a sign permit from the Codes Department. See Section 310-52.2 of the Zoning Ordinance.

Plans have been collated and properly folded.

Explanation for any item not checked in the Site Plan Checklist.



Completed SEQR – Short Environmental Assessment Form – Part I.

*A copy of the SEQR Form can be obtained from the City of Watertown website.

SIGNATURE

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

Applicant (please print) Patrick J. Currier, RA

Applicant Signature *Patrick J. Currier* Date: 10/12/11

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:

NO

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

NO

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

NO

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:

NO

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

NO

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

NO

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

NO

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.

CITY OF WATERBURY

Name of Lead Agency

10/18/11

Date

JEFFREY GRAHAM

Print or Type Name of Responsible Officer in Lead Agency

MAYOR

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Res No. 9

June 12, 2012

To: The Honorable Mayor and City Council

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

Subject: Approving the Site Plan for Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320

A request has been submitted by Michael Lundy of Lundy Development and Property Management, on behalf of Watertown Aerie No. 782 Fraternal Order of the Eagles, for the above subject site plan approval. The Planning Board reviewed the request at its July 3, 2012 meeting.

At that meeting, the Planning Board adopted a motion recommending that the City Council approve the site plan with the 14 conditions listed in the attached resolution. Attached are a copy of the report on the request prepared for the Planning Board and an excerpt from its minutes.

The Jefferson County Planning Board reviewed the request at their June 26, 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 respond to the questions in Part 2 of the Short Environmental Assessment Form before it may vote on the resolution. The resolution prepared for City Council consideration states that the project will not have a significant negative impact on the environment, and approves the site plan submitted to the City Engineering Department on June 5, 2012 with the conditions recommended by the Planning Board.

RESOLUTION

Page 1 of 3

Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320.

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 Michael Lundy of Lundy Development and Property Management, on behalf of Aerie No. 782 Fraternal Order of the Eagles, has made an application for site plan approval for a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320, and

WHEREAS the Jefferson Count Planning Board reviewed the request at their June 26, 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 site plan at its meeting held on July 3, 2012, and recommended that the City Council of the City of Watertown approve the site plan with the following conditions:

- 1) The applicant shall provide 33 parking spaces, based on a proposed building size of 6,500 square feet. If these spaces are to be located on a separate parcel, the applicant shall depict and provide a proposed legal description for a permanent easement granting access to these spaces. The easement shall be filed with the County Clerk prior to occupancy.
- 2) The applicant shall depict and provide a proposed legal description for an easement providing access to the 10 parking spaces shown along the northern lot line. The easement shall be filed with the County Clerk prior to occupancy.
- 3) The applicant shall provide a lighting plan with photometric data, to be approved by the City Engineer prior to the issuance of a building permit.
- 4) The applicant may not tie into the Kinney Drugs water line due to NYSDOH regulations. The applicant shall devise and depict a water service route, showing size, type, and the location of the curbstop.

RESOLUTION

Page 2 of 3

Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320.

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

- 5) The applicant shall depict the size and type of the sanitary sewer service, and depict the location of the cleanout. Further, the applicant shall confirm whether the existing sanitary service is indeed abandoned, and take action as directed by the City Engineer.
- 6) The applicant must depict and label existing and proposed water, sewer, and storm lines (including inverts) throughout the project area, and along Dundon Ave., State St., and the existing bank.
- 7) The applicant shall vary the species of the proposed landscaping so that no single species constitutes more than 15% of the plantings.
- 8) The applicant shall install 6 to 8 large-maturing trees along the southern property line at approximately 40-foot spacing.
- 9) The applicant shall depict the required setbacks for the Commercial District, using Hinds Avenue as the parcel's front lot line.
- 10) The applicant shall install an enclosure around the dumpster, not to exceed six feet in height.
- 11) The applicant shall provide a wet-stamped copy of the boundary and topographic survey, with original seal and signature.
- 12) The applicant shall provide an engineering report with the appropriate information, as outlined in the Site Plan Application.
- 13) The applicant shall clearly depict all easements, differentiating between existing and proposed, and correctly label the parties involved.
- 14) The applicant shall revise the preliminary floor plan to show the correct parking layout.

And,

WHEREAS the City Council has reviewed the Short Environmental Assessment Form, responding to each of the questions contained in Part 2, and has determined that the project, as submitted, is Unlisted and will not have a significant effect on the environment,

RESOLUTION

Page 3 of 3

Approving the Site Plan for the Construction of a 6,500 Square Foot Clubhouse, Pavilion, and Parking Area at 144 Eastern Boulevard, Parcel 5-16-320.

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

Total

YEA	NAY

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown declares that the proposed construction and site plan constitute 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 that it is an express condition of this site plan approval that the applicant provide the City Engineer with a copy of any change in stamped plans forming the basis for this approval at the same time such plans are provided to the contractor. If plans are not provided as required by this condition of site plan approval, the City Code Enforcement Officer shall direct that work on the project site shall immediately cease until such time as the City Engineer is provided with the revised stamped plans. Additionally, any change in the approved plan which, in the opinion of the City Engineer, would require Amended Site Plan approval, will result in immediate cessation of the affected portion of the project work until such time as the amended site plan is approved. The City Code Enforcement Officer is requested to periodically review on-site plans to determine whether the City Engineer has been provided with plans as required by this approval, and

BE IT FURTHER RESOLVED by the City Council of the City of Watertown that site plan approval is hereby granted to Michael Lundy of Lundy Development and Property Management, on behalf of Aerie No. 782 Fraternal Order of the Eagles, for a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320, as submitted to the City Engineer on June 5, 2012, contingent on the applicant making the revisions and meeting the conditions recommended by the Planning Board as listed above.

Seconded by



MEMORANDUM

CITY OF WATERTOWN 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: Site Plan Approval – 144 Eastern Boulevard, Eagles Clubhouse

DATE: June 22, 2012

Request: Site Plan Approval for the construction of a 6,500 square foot clubhouse, outdoor pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320

Applicant: Lundy Development and Property Management, LLC

Proposed Use: Clubhouse/Banquet Hall

Property Owner: Watertown Center Development, LLC

Submitted:	
Property Survey: No	Preliminary Architectural Drawings: Yes
Site Plan: Yes	Preliminary Site Engineering Plans: Yes
Vehicle and Pedestrian Circulation Plan: No	Construction Time Schedule: Yes
Landscaping and Grading Plan: Yes	Description of Uses, Hours & Traffic Volume: Yes

SEQRA: Unlisted

County Review: Yes

Zoning Information:	
District: Commercial	Maximum Lot Coverage: None
Setback Requirements: 20' front, 5' side, 25' rear	Buffer Zone Required: 5-15' along S and E lines

Project Overview: The applicant is requesting approval of plans for the construction of a 6,500 square foot clubhouse for the Watertown chapter of the Fraternal Order of the Eagles. The plan also includes an outdoor pavilion of roughly 960 square feet.

The lot was subdivided from the main Northland Plaza parcel in 2008 in anticipation of a car wash being built on the site. The plat was filed but no deed was ever recorded to transfer the new lot, so it remains under the tax account for parcel 5-16-320. A site plan was approved for the car wash, but it was never constructed. The lot remains vacant.

Parking: The Zoning Ordinance requires 33 parking spaces, under the interpretation that this building is essentially a restaurant. The applicant has provided 10 spaces along the north lot line, and has proposed utilizing overflow parking spaces in the Northland Plaza lot. Because these spaces are technically on a separate parcel, they cannot be counted toward the statutory minimum unless the applicant obtains ownership of or a permanent access easement to that parking area.

Additionally, the 10 proposed spaces connect directly to the Northland Plaza parking lot, and are not accessible via any depicted easement or public right-of-way. The applicant must obtain and depict an access easement across the Northland Plaza property to these parking spaces.

We attempted to calculate whether the plaza has any extra spaces to “give” to the club. There are currently three buildings that utilize the Northland Plaza parking lot: the nearby bank, the furniture store to the east, and the plaza itself. According to assessment records, the buildings combine to roughly 117,900 square feet of retail space, necessitating 590 parking spaces. It could be less after boiler rooms, heating facilities, utility facilities and storage are taken out of the floor area.

The lot has 412 marked spaces, based on aerial photographs from 2011. This is a deficiency of 178 spaces. However, there is quite a bit of space in the lot without markings, so the plaza may meet the parking requirement.

Pedestrians: The applicant has provided short walkways between the parking area and the front door, and the loading area and the side door. The site does not have access to a public sidewalk.

Lighting: No lighting plan was submitted. The applicant has indicated that only localized area lights will be installed, and no spillage is expected.

Utilities: The existing water line which the applicant proposed to connect to was abandoned when Kinney Drugs was built. A new service line to the nearby bank was constructed at that time; however, the applicant cannot tie into this line because the NYS Department of Health requires separate service to each building. The applicant must devise and depict on the plans a proposed water service route, likely connecting to State Street.

The applicant shows a sanitary sewer connection to the 12” line that crosses the northeast corner of the property. The applicant must depict the size and type of this connect, and the location of its cleanout.

The applicant must depict and label existing and proposed water, sewer, and storm lines (including inverts) throughout the project area, and along Dundon Ave., State St., and the existing bank.

Drainage & Grading: The applicant has provided little detail regarding the drainage for the site. The proposed stone basin appears to be similar to the proposed structure for the previously approved car wash site plan for this parcel. The applicant must provide pre- and post-development drainage calculations, and sizing calculations for the stone basin.

The applicant must provide a grading plan with 1-foot contours and appropriate spot elevations.

Landscaping: The applicant depicts a row of shrubs along the north side of the building, and an L-shaped array of spruce trees on the west lawn area.

The Landscaping & Buffer Zone Guidelines recommend that no single species represent more than 15% of plantings. The applicant must vary the proposed species accordingly, and provide a planting schedule that shows the proposed species and quantity for all plantings. Additional trees should be added along the southern property line at 40’ spacing.

Setbacks: The Commercial District requires a 20 foot front yard, 25 foot back yard, and five-foot side yards. The effective front of the property would be the western property line along Hinds Ave. The applicant must depict the required setbacks on the site plan. It appears that the proposed structure will fit within the buildable area.

Miscellaneous: The applicant has not provided a detail of the dumpster enclosure. Dumpsters must be at least 15’ from the property line, and the enclosure cannot exceed 6 feet in height. The applicant must provide a wet stamped copy of a Boundary and Topographic Survey Map, with original seal and signature.

The applicant has not provided an engineering report as required by the Site Plan Application guidelines.

The easements depicted on the site plan are not marked correctly. Some existing ones are labeled as proposed, and vice versa. Some which should be granted to Watertown Center LLC are noted as going to the Eagles Club. All easements must be clearly depicted with the correct information and proposed assignments.

The preliminary floor plan should be revised to depict the correct parking layout.

The applicant must apply for the following permits prior to construction: Sanitary Sewer Permit, Water Permit, Building Permit, and General City Permit for any work in the right-of-way. A separate Sign Permit will be required if any signage is to be installed.

Summary:

1. The applicant shall provide 33 parking spaces, based on a proposed building size of 6,500 square feet. If these spaces are to be located on a separate parcel, the applicant shall depict and provide a proposed legal description for a permanent easement granting access to these spaces. The easement shall be filed with the County Clerk prior to occupancy.
2. The applicant shall depict and provide a proposed legal description for an easement providing access to the 10 parking spaces shown along the northern lot line. The easement shall be filed with the County Clerk prior to occupancy.
3. The applicant shall provide a lighting plan with photometric data, showing that spillage across property lines does not exceed 0.5 foot candles.
4. The applicant may not tie into the Kinney Drugs water line due to NYSDOH regulations. The applicant shall devise and depict a water service route, showing size, type, and the location of the curbstop.
5. The applicant shall depict the size and type of the sanitary sewer service, and depict the location of the cleanout.
6. The applicant must depict and label existing and proposed water, sewer, and storm lines (including inverts) throughout the project area, and along Dundon Ave., State St., and the existing bank.
7. The applicant shall vary the species of the proposed landscaping so that no single species constitutes more than 15% of the plantings.
8. The applicant shall install 6 to 8 large-maturing trees along the southern property line at approximately 40-foot spacing.
9. The applicant shall depict the required setbacks for the Commercial District, using Hinds Avenue as the parcel's front lot line.
10. The applicant shall install an enclosure around the dumpster, not to exceed six feet in height.
11. The applicant shall provide a wet-stamped copy of the boundary and topographic survey, with original seal and signature.
12. The applicant shall provide an engineering report with the appropriate information, as outlined in the Site Plan Application.
13. The applicant shall clearly depict all easements, differentiating between existing and proposed, and correctly label the parties involved.
14. The applicant shall revise the preliminary floor plan to show the correct parking layout.

Cc: City Council Members
Robert J. Slye, City Attorney
Justin Wood, Civil Engineer II
Michael Lundy, Lundy Development, 35794 US Rte. 126, Carthage, NY 13619

Excerpt from July 3, 2012 Planning Board Meeting Minutes

SITE PLAN REVIEW – EAGLES CLUB 144 EASTERN BOULEVARD – PARCEL 5-16-320

The Board then considered a request for site plan approval submitted by Michael Lundy of Lundy Development and Property Management, on behalf of Watertown Aerie No. 782 Fraternal Order of the Eagles, for construction of a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320.

Mr. Katzman informed the Board that he was abstaining from the discussion and vote because of a prior business relationship.

Mr. Lundy approached the Board to explain his request. He outlined his arrangement with the Eagles, to essentially use a land swap to acquire their existing facility on Outer Washington Street, and build them a new club at this site. The new site is closer to transit and taxi service, and has overflow parking in Northland Plaza. He acknowledged that the submitted plans were lacking some detail, but he had chicken and egg scenario where he needs some sort of preliminary approval in order to convince the Eagles parent organization to devote funding to the project for engineering services.

Mr. Lundy continued, explaining that after discussions with the Water Department, it appears that bringing water service down the margin of Dundon Ave. to the State St. main would be feasible. The question still remains whether this would be a new main, to be deeded to the City, or just a long private lateral.

Mrs. Freda asked what would happen to the abandoned line which cuts through the lawn area. Mr. Lundy said it would be left in place, since it is clear of the building.

Mr. Lundy briefly described the clubhouse interior layout, noting that it would be smaller and more manageable than the current Eagles Club building.

Mrs. Freda asked if the proposed building would be lower than the Kinney's parking lot. Mr. Lundy stated that it would be, but it would be difficult to change the grading.

Mr. Davis asked what impact the new use would have on the parking load for the Northland Plaza lot, for example if a clubhouse event and a skating event occurred simultaneously.

Mr. Lundy replied that the current parking is drastically underused, there is a nearby bus stop, and the plaza sees relatively frequent taxi service.

Mrs. Gervera asked what the appearance of the back (south) façade would be.

Mr. Lundy stated that it would look nearly identical to the front, due to the odd situation of the site. The building would have four-sided architecture.

Mr. Mix addressed the parking issue. He stated that there are minimum requirements set forth in the zoning code, and based on the preliminary counts the Plaza may be deficient. However, after subtracting utility and storage space from the square footage totals, and taking into account un-striped pavement, it is certainly possible that the Plaza has sufficient or excess parking. However, in order for the Eagles Club to count this space toward their requirement, a permanent easement is necessary.

Mr. Lundy stated that the cross easement for access to this parking is part of the purchase agreement, and the items requested in the Staff Report could be supplied.

Mr. Davis mentioned that the lighting in the Plaza is inadequate. Mr. Lundy stated that they plan to install two poles in front of the building, and can lighting under the roof overhang, but he cannot do much about lighting levels outside his parcel.

Mr. Mix stated that because the applicant plans to utilize this parking area to fulfill the zoning requirement, lighting levels in this area must be considered.

Mr. Wood mentioned that this is one problem with working with an incomplete plan set—the photometric plan listed in the application packet could be used to solve these issues. He recommended that summary item #3 be amended so that the City Engineer is empowered to approve the lighting plan prior to the issuance of a permit.

Ms. Pistolese excused herself from the meeting at 5:05 pm.

Mrs. Freda asked if the tent area would be grass or another surface. Mr. Lundy explained that it would be gravel in order to avoid mud.

There was some general discussion of landscaping. Mr. Lundy was unsure of the application of the Landscaping and Buffer Zone Guidelines' "15% rule" to the proposed spruce buffer. Mr. Lumbis explained that the rule is designed to prevent catastrophic losses due to disease. Species with similar foliage and color could be used, but the variation is necessary.

Mr. Davis mentioned that it also provides for a more natural look, rather than a monolith of greenery.

Mrs. Gervera wondered if the southern property line would have both a fence and trees. Mr. Lundy said that he was fine adding both.

Mr. Wood stated that summary item #5 should be amended to require the applicant to confirm whether the existing 4" sanitary line is abandoned or not, and take action as directed by the City Engineer.

Mrs. Gervera made a motion to recommend that City Council approve the site plan submitted by Michael Lundy of Lundy Development and Property Management, on behalf of Watertown Aerie No. 782 Fraternal Order of the Eagles, for construction of a 6,500 square foot clubhouse, pavilion, and parking area at 144 Eastern Boulevard, parcel 5-16-320, with the following conditions:

1. The applicant shall provide 33 parking spaces, based on a proposed building size of 6,500 square feet. If these spaces are to be located on a separate parcel, the applicant shall depict and provide a proposed legal description for a permanent easement granting access to these spaces. The easement shall be filed with the County Clerk prior to occupancy.
2. The applicant shall depict and provide a proposed legal description for an easement providing access to the 10 parking spaces shown along the northern lot line. The easement shall be filed with the County Clerk prior to occupancy.
3. The applicant shall provide a lighting plan with photometric data, to be approved by the City Engineer prior to the issuance of a building permit.
4. The applicant may not tie into the Kinney Drugs water line due to NYSDOH regulations. The applicant shall devise and depict a water service route, showing size, type, and the location of the curbstop.
5. The applicant shall depict the size and type of the sanitary sewer service, and depict the location of the cleanout. Further, the applicant shall confirm whether the existing sanitary service is indeed abandoned, and take action as directed by the City Engineer.
6. The applicant must depict and label existing and proposed water, sewer, and storm lines (including inverts) throughout the project area, and along Dundon Ave., State St., and the existing bank.
7. The applicant shall vary the species of the proposed landscaping so that no single species constitutes more than 15% of the plantings.
8. The applicant shall install 6 to 8 large-maturing trees along the southern property line at approximately 40-foot spacing.
9. The applicant shall depict the required setbacks for the Commercial District, using Hinds Avenue as the parcel's front lot line.
10. The applicant shall install an enclosure around the dumpster, not to exceed six feet in height.
11. The applicant shall provide a wet-stamped copy of the boundary and topographic survey, with original seal and signature.
12. The applicant shall provide an engineering report with the appropriate information, as outlined in the Site Plan Application.
13. The applicant shall clearly depict all easements, differentiating between existing and proposed, and correctly label the parties involved.
14. The applicant shall revise the preliminary floor plan to show the correct parking layout.

Mr. Fontana seconded, the motion passed 5 to 0, with Ms. Pistolese absent and Mr. Katzman abstaining.



Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning



June 28, 2012

Andrew Nichols, Planner
City of Watertown
254 Washington Street
Watertown, N.Y. 13601

Re: Lundy Development, Site Plan Review for Eagles Club, JCDP File # C 6 - 12

Dear Andrew:

On June 26, 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 County Planning Board has the following local advisory comments.

There are only two lights shown on the site plan. The local board should ask for a lighting plan to determine if there will be adequate lighting on-site and that the lighting will not have a negative impact on adjacent uses.

There is a future privacy fence shown on the site plan. The local board should ask for more information on the design of the fence.

The site plan shows ten parking spaces when thirty-three are required. If the applicant is proposing to use spaces within the plaza parking lot, then the requirements of Section 310-51 of the City of Watertown Zoning Law need to be met.

There were no drainage calculations provided on the proposed storm water system. The detention basin appears to be located over a sanitary easement. The local board should ask for more details to ensure the proposed storm water system is adequate.

The proposed pavilion also appears to be located over a sanitary easement and should be relocated.

Please note that the advisory comments are not a condition of the County Planning Board's action. They are listed to assist the local board in its review of the project. 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,

A handwritten signature in black ink that reads "Michael J. Bourcy". The signature is written in a cursive style with a large, prominent "M" and "B".

Michael J. Bourcy
Senior Planner

MJB

April 7, 2012

Kurt W. Hauk, P.E.
City Engineer
Room 305
245 Washington Street
Watertown, NY 13601

RE: New Project in the City of Watertown

Dear Mr. Hauk,

Enclosed you will find a Site Plan Application package for the construction of a new facility for Watertown Aerie No. 782 Fraternal Order of the Eagles.

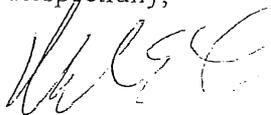
Lundy Development and Property Management, LLC is planning to relocate the Fraternal Order of the Eagles Aerie No. 782 from their current location on US Route 11 to a vacant lot owned by Watertown Center Development, LLC's in the Northland Plaza at 144 Eastern Boulevard, Watertown. LDPM will contract with LUNCO Corporation for the construction of approximately 6,500 square feet of meeting and banquet hall space with a 960 square foot outdoor pavilion.

The enclosed preliminary plans do not have our engineer's stamp pending your review. If the drawings are acceptable to you as is, I will submit the required three stamped sets for issuance of permit. If you request additional information or changes, I will submit the final stamped set upon completion of those requested revisions.

I understand the submission deadline for the Planning Board meeting today was May 22nd, but I am hoping that your board may be able to give it a quick review and pass it on to the County prior to the June 14th submission deadline for the June 26th County Planning Board meeting.

I look forward to your favorable response. Please do not hesitate to call should you have any additional questions or concerns.

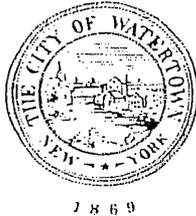
Respectfully,



Michael E. Lundy
President

CC: Ken Mix, City Planner





**CITY OF WATERTOWN
SITE PLAN APPLICATION
AND
SHORT ENVIRONMENTAL
ASSESSMENT FORM, PART 1**

** Provide responses for all sections. INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Failure to submit required information by the submittal deadline will result in **not** making the agenda for the upcoming Planning Board meeting.

PROPERTY LOCATION

Proposed Project Name: Watertown Aerie No. 782 Fraternal Order of the Eagles
Tax Parcel Number: 5-16-320.000
Property Address: 144 Eastern Boulevard, City of Watertown, NY 13601
Existing Zoning Classification: Commercial

OWNER OF PROPERTY

Name: Watertown Center Development, LLC. (current)
Address: PO Box 684
New Hartford, NY 13413
Telephone Number: 315-796-6562
Fax Number: _____

APPLICANT

Name: Lundy Development & Property Management, LLC - Michael E. Lundy, President
Address: 35794 NYS Route 126
Carthage, NY 13619
Telephone Number: 315-493-2493
Fax Number: 315-493-2004
Email Address: mlundy@mlundygroup.com

ENGINEER/ARCHITECT/SURVEYOR

Name: Edwin Harrington III, Architect P.C. (Building) / Lucas Widrick (Site / Civil)
Address: 505 East Fayette Street / 1190 Village Forest Drive
Syracuse, NY 13202 / Winter Park, FL 32792
Telephone Number: 315-478-9189 / (407) 362-8238
Fax Number: 315-478-7601
Email Address: demeharc@twcny.rr.com / lucaswidrick@gmail.com

PROJECT DESCRIPTION

Describe project and proposed use briefly:

New Facility for Aerie No. 782 Fraternal Order of the Eagles with
6,500 square feet of meeting and banquet hall space and a 960 square
foot outdoor pavilion

Is proposed Action:

New Expansion Modification/Alteration

Amount of Land Affected:

Initially: 0.99 Acres Ultimately: 0.99 Acres

Will proposed action comply with existing zoning or other existing land use restrictions?

Yes No If no, describe briefly

What is present land use in vicinity of project?

Residential Industrial Commercial Agriculture
 Park/Forest/Open Space Other

Describe: _____

Does project involve a permit approval, or funding, now or ultimately from any other Governmental Agency (Federal, State or Local)?

Yes No If yes, list agency(s) and permit/approval(s)
NYS Building Permit

Does any aspect of the project have a currently valid permit or approval?

Yes No If yes, list agency(s) and permit/approval(s)

As a result of proposed project, will existing permit/approval require modification?

Yes No

Proposed number of housing units (if applicable): N/A

Proposed building area: 1st Floor 6500 Sq. Ft.

2nd Floor _____ Sq. Ft.

3rd Floor _____ Sq. Ft.

Total _____ Sq. Ft.

Area of building to be used for the boiler room, heat facilities, utility facilities and storage: 800 Sq. Ft.

Number of parking spaces proposed: 10 on site with 300 space parking Cross Easement

Construction Schedule: July - December, 2012

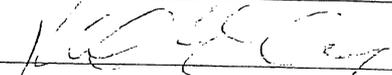
Hours of Operation: Mon.-Thurs.: 1:00pm - 2:00am; Fri. - Sat.: 11:00am - 2:00am; Sun.: 12:00pm-6:00pm

Volume of traffic to be generated: Varies; 20-200 ADT

SIGNATURE

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

Applicant (please print) Michael E. Lundy

Applicant Signature  Date: 6/4/12

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)

Res No. 10

July 10, 2012

To: The Honorable Mayor and City Council

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

Subject: Special Use Permit Request to Allow a 4-unit Dwelling in a Residence C District Located at 414 Stone Street, Parcel 10-03-205

Michael Hohns and Deanna Hirschey are requesting a Special Use Permit to allow them to renovate an existing house into a 4-unit apartment building. As outlined in the attached documentation, the applicant will also need an Area Variance from the Zoning Board of Appeals.

The Planning Board reviewed the request at its June 5, 2012 and July 3, 2012 meetings. At the latter meeting, the Board defeated a motion recommending that Council approve the Special Use Permit.

Attached are the reports prepared for the Planning Board and excerpts from its minutes.

A public hearing is required before City Council may vote on the resolution. It is recommended that a public hearing be scheduled for 7:30 pm on Monday, August 6, 2012.

RESOLUTION

Page 1 of 1

Approving a Special Use Permit Request to Allow a 4-unit Dwelling in a Residence C District Located at 414 Stone Street, Parcel 10-03-205

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 Deanna Hirschey and Michael Hohs have made an application for a Special Use Permit to allow a 4-unit dwelling in a Residence C District at 414 Stone Street, parcel 10-03-205, and

WHEREAS the Jefferson County Planning Board reviewed the special use permit request at its meeting held on May 29, 2012, pursuant to General Municipal Law Section 239-m and adopted a motion that the project does not have any significant 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 July 3, 2012, and recommended that the City Council of the City of Watertown deny the request, and

WHEREAS a public hearing was held on the proposed Special Use Permit on August 6, 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 a 4-unit dwelling at 414 Stone Street 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 Deanna Hirschey and Michael Hohs to allow a 4-unit dwelling in a Residence C District at 414 Stone Street, parcel 10-03-205, conditioned on the applicant receiving an area variance from the Zoning Board of Appeals that will allow the fourth unit.

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

SUBJECT: Special Use Permit Approval – 414 Stone Street Multi-family *KAM*

DATE: June 26, 2012

Request: Tabled Special Use Permit to allow a 4-unit dwelling in a Residence C District located at 414-416 Stone Street, parcel 10-03-205

Applicant: Deanna Hirschey and Michael Hohs

Proposed Use: Multi-family residential

Property Owner: Duane Alarie

Submitted:

8 ½" x 11" Copy of Parcel Map: Yes A Sketch of the Site to Scale: Yes

Completed Part I of an SEQRA: Unlisted Action
Environmental Assessment Form: Yes

County Review Required: Yes

Comments: The applicant wishes to convert an existing 2-unit residence into a 4-unit residence. Anything over 3 units is considered “multifamily” and is subject to a Special Use Permit when located in a Residence C District.

At the June 6th meeting, the Board voted to table the application. In the intervening weeks, the applicant has provided a survey of the property showing it to be 7,673 square feet—large enough to allow 3 units by right. The applicant has provided copies of the survey, but has not submitted any other new information. The applicant has indicated verbally that they still wish to construct 4 units at this location if possible.

The Zoning Board of Appeals has not made a decision on the applicant’s concurrent variance request.

Summary:

1. The applicant shall obtain an area variance from the Zoning Board of Appeals, allowing less than 2,500 square feet of lot area per household in a Residence C District, as required by §310-13 of the Zoning Ordinance.

cc: City Council Members
Robert Slye, City Attorney
Justin Wood, Civil Engineer II
Deanna Hirschey, 420 Stone Street
Duane Alarie, 412 Stone Street



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: Special Use Permit Approval – 414 Stone Street Multi-family

DATE: May 22, 2012

Request: Special Use Permit allow a multi-family dwelling in a Residence C District located at 414-416 Stone Street, parcel 10-03-205

Applicant: Deanna Hirschey and Michael Hohns

Proposed Use: Multi-family residential

Property Owner: Duane Alarie

Submitted:

8 ½" x 11" Copy of Parcel Map: Yes A Sketch of the Site to Scale: Yes

Completed Part I of an SEQRA: Unlisted Action
Environmental Assessment Form: Yes

County Review Required: Yes – May 29th meeting

Comments: The applicant wishes to convert an existing 2-unit residence into a 4-unit residence. Anything over 3 units is considered "multifamily" and is subject to a Special Use Permit when located in a Residence C District.

The parcel in question is approximately 7,700 square feet. In Res C, a lot area of 2,500 square feet is needed for each unit. In order to construct 4 units at this location, the applicant will have to acquire an area variance from the Zoning Board of Appeals. The applicant has submitted a variance request, and the ZBA had its first meeting on the matter on May 16th.

If approved, this SUP must be made conditional on the granting of a variance by the ZBA.

Based on the site sketch, parking area appears to be adequate. Vehicle circulation might be improved by lining all 5 parking spaces along the east or west property line, rather than having them distributed around the perimeter as depicted.

Summary:

1. The applicant shall obtain an area variance from the Zoning Board of Appeals, allowing less than 2,500 square feet of lot area per household in a Residence C District, as required by §310-13 of the Zoning Ordinance.

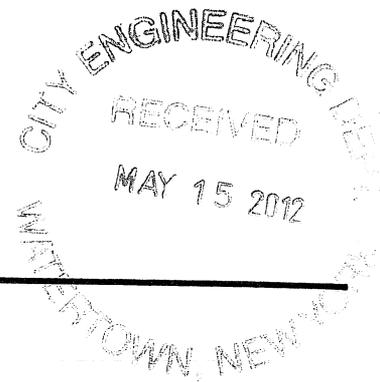
cc: City Council Members
Robert Slye, City Attorney
Justin Wood, Civil Engineer II
Deanna Hirschey, 420 Stone Street
Duane Alarie, 412 Stone Street



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: *Deanna Hirschey and Michael Hobs*
Mailing Address: *420 Stone St., Watertown, NY-13601*
Phone Number: *(303) 913-5980 (Michael's cellphone)*
(315) 782-0372 (Home) Email: *mrhobs@gmail.com*

PROPERTY INFORMATION

Property Address: *414-416 Stone St., Watertown, NY-13601*
Tax Parcel Number(s): *10-03-205.000*
Property Owner (if not applicant): *Duane Alarie*

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: *RC Watertown*

- 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:

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

We are applying for a Special Use permit to allow 414-416 Stone St. to be a 4 unit (multifamily) instead of a 2 unit. Proposal is attached. Thank you,

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

Signature: *Deanna Hirschey + Michael Hobs* Date: *5/15/12*

Proposal and application: 414-416 Stone St. Application for Special Use Permit 5/15/12

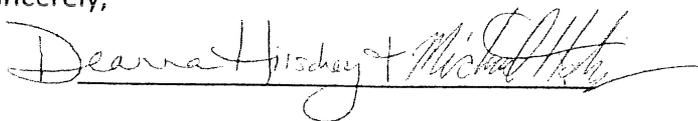
Dear City of Watertown,

In talking with Shawn McWayne of city code enforcement, and Justin Wood of the engineer's office, we have learned that, in order to turn 414-416 Stone St. from a property with 2 rental units to a property with 4 rental units, we must officially apply and receive approval for, a variance from city council. We must also apply for a Special Use Permit as well. Please accept this packet as our application; a total of 16 copies of the packet are being furnished as requested. We appreciate very much the chance to apply for this variance and permit before we begin the renovation of the property.

The property seems to currently have 7763.03 square feet based on the metes and bounds descriptions in the record. According to Shawn, the requirement per unit is 2500 square feet, and also to demonstrate an appropriate parking spot for each unit, plus the existence of a guest parking spot for the property. Going by this, the property's square footage only qualifies for 3 units. The large gravel parking lot in the rear half of the property can easily handle the 5 parking spots (see included drawing), and our measurements show 9 parking spots are possible. While the parking is adequate, we need to apply for an area variance of 2237 square feet to be able to shift this property from 2 large units to 4 smaller units in the building. If we are approved for a 4 unit, we understand that this means the property is considered a "multifamily" and would need a Special Use Permit approved in this Residence type "C" area.

We understand that this matter will also be taken before the county as part of the process, and we are glad to have the chance to apply for the approval we need from you. We are dedicated to a quality renovation. Thank you again for the chance to submit our application. If we can be of assistance or if there are any questions, the best ways to reach us are at home 315-782-0372, or on Michael's cell phone 303-913-5980.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanna Hirschey + Michael Hohs". The signature is written in a cursive style and is positioned above a horizontal line.

Deanna Hirschey and Michael Hohs

MEADOW STREET

STREET



STONE

40

A28

49.5

99.36

1003208

67425-144920

62.27

62.27

49.03

65

1003207

67430-144922

170.66D

170.95

171.6D

170.95

1003206

67434-144922 166.85

166.8

1003205

67439-144921

161.1

160.38D

161.15

1003204

67443-144919

151.46D 151.15

151.46D 151.15

1003203

67448-144918

137.12D 138.75

137.12

1003202

67452-144917

123.10

23.77

27.31

22.74

58.14

51.25

8.75S

120.03

1003209

67427-144929

50

65

25.42

133.45D

36.16D

33.45

135.35

49.06

63.2D

56

66.86S

26.16

1003230

67455-144926

19

1003

67457-1

198

100

67458

198

100

67458

198D

199.45

199.45

199.45

199.45

199.45

1003210

67437-144933

198D

199.45

199.45

199.45

199.45

199.45

A24

A20

A18

A16

A14

A12

A10

406

70.13D

36.16

45.64

51.81D

50.25

44.10

48.1

21

60

60

60

50

65

36.16D

33.45

49.06

30.05D

28.42S

46.37D

45.92S

53.71

198

123

50

60

66

133.45D

135.35

63.2D

56

1003230

67455-144926

19

119

82.5D

83.2

198D

199.45

199.45

199.45

199.45

199.45

32.04D

34.7S

198

198

100

67458

0.45D

36.16D

33.4S

Parking lot dimensions
9.06 x 74' x
14' x 82.10"
3715.5
square feet

← --- 49.06' --- →

63.1

SCALE:

Property line

SPOT #2
20'
10'

SPOT #3
20'

Parking lot = 3715.5 sq. ft

SPOT #4
20'

SPOT #1
20'

Property line

GUEST SPOT
20'

22.78

30.05D

28.42S

46
4.5

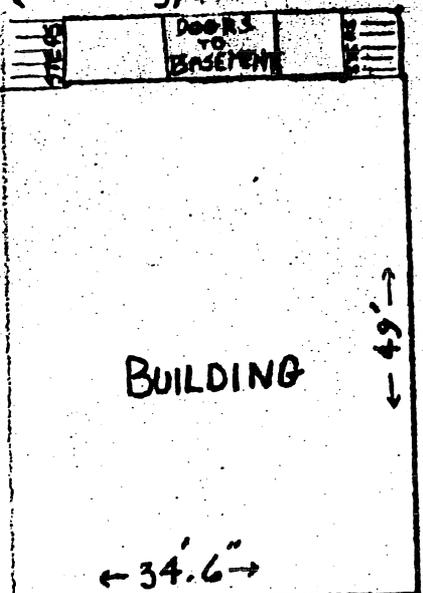
171.00 170.30

10003206

67434-144922

166.8S

(SHARED DRIVEWAY)
22'4"
37'
DOORS TO BUILDING
49'
34.6'



161.1S

160.38D

10003204

67443-144919

151.46D 151.1S

151.46D 151.1S

36.16

← --- 45.64' --- →

51.81D

50.2S

*420

416/414

ST 12

LAND CONTRACT

THIS AGREEMENT, made this 8th day of January, 2010, by and between

DUANE ALARIE, 412 Stone Street, Watertown, NY, hereinafter referred to as the "Seller", and

DEANNA M. HIRSCHHEY, 420 Stone Street, Watertown, NY 13601 and MICHAEL B. HOHS, 664 Grant Street, Watertown, NY 13601, hereinafter collectively referred to as the "Buyer."

WITNESSETH THAT in consideration of the covenants and agreements hereinafter set forth, the parties hereto mutually agree as follows:

1. The Seller agrees to sell and the Buyer hereby agrees to buy from the Seller, the duplex premises known as 414-416 Stone Street, Watertown, NY described in Schedule "A" hereto annexed and made a part hereof.

2. The Buyer agrees to pay as and for the purchase price of said premises, the sum of _____, payable as follows:

A. The sum of _____ in cash or certified funds due upon final title review by Buyer s attorney following the signing of this contract.

B. An interest only payment of 23 days interest _____ to run the amortization from February 1, 2010.

C. The sum of _____ Dollars shall be paid, with interest at _____ per annum amortized over _____ month term in equal monthly installments of _____, commencing with a first payment due March 1, 2010. The monthly installments shall be applied first to interest and then to the reduction of principal.

Payment shall be made on the first day of each month to the address indicated above, or to such other address as Seller may advise. After the 15th day of the month, a late penalty of 10% of the monthly installment shall be assessed.

3. The Buyer agrees to reimburse seller for all real estate taxes and insurance that have been paid by Seller's tax escrow account with his mortgage lender within thirty days of being presented with proof of payment of said real estate taxes and insurance. Buyer shall have the right to pay the tax and insurance to the collecting entity directly should Seller fail to have such taxes paid in a timely manner.

Handwritten initials and signatures at the bottom right of the page.

4. The Buyer has been advised that the Seller has an existing mortgage with Coldwell Banker Mortgage, ("Mortgagee"), which the Seller covenants and agrees to continue paying until the same is paid in full and to indemnify the Buyer in the event of failure to do so. Seller hereby warrants that he is not currently in default of any provisions contained in the mortgage, that he will make timely payments on the mortgage obligations, and that he will not increase the amount secured thereby. Upon written request, Seller shall promptly provide Buyer with receipts showing that the mortgage installments have been timely paid. If it shall be reasonably determined by Buyer that one or more of the mortgage installments have not been timely paid, Buyer shall have the right to pay the mortgage and tax escrow installments, if any, directly to the Mortgagee out of the installments that would have been paid to Seller under this Contract and shall pay to Seller only the amount that the Contract installment payment exceeds the amount so paid to Mortgagee.

Seller does hereby further covenant and agree that:

- a. He will use the down payment monies to bring all of his mortgage payments and incidental penalties and charges with Mortgagee current:
- b. He will use the down payment monies to bring all of the City water, sewer and incidental penalties and charges current; and
- c. He will evict the current tenants in a timely manner at his own cost and expense.

5. Seller agrees to maintain in full force at his own expense, a policy of fire and extended coverage insurance at replacement value, and personal liability coverage of at least \$100,000 per occurrence, showing the interest of Coldwell Banker Mortgage, as Mortgagee. Buyer agrees to reimburse Seller the premium cost of said insurance, pro rata, upon being presented with a paid receipt for said policy. Buyer shall be responsible for insuring the personal contents during the term of this contract.

The parties agree in the event of loss by fire, lightning or windstorm or any other cause insured against, any sums received from the proceeds of insurance policies protecting the parties against such loss shall be applied first to any amounts due and unpaid to mortgagee, if demand is so made by mortgagee. The balance then remaining shall be used in the repair, renovation and restoration of the buildings on said premises to their former state. If, after such application there be any balance remaining, the same shall be applied on the unpaid balance of the purchase price. The rebuilding, restoration and repairs mentioned in this clause shall be accomplished with the approval of the Seller (and mortgagee), and to the end that this may be accomplished, all such insurance money shall be held subject to the common control of the parties hereto and mortgagee. It is understood and agreed that in the event the insurance money shall be insufficient to accomplish the rebuilding, restoration and repairs mentioned in this clause, the same shall be accomplished by the Buyer at their sole cost and expense.

6. The Buyer covenants and agrees that he/she will make all necessary repairs and perform any maintenance to the buildings and improvements on said premises and to keep the said premises in good repair and at least in as good condition as it is now, necessary wear and tear and damage by the elements excepted, and will not remove or permit to be injured or destroyed any of the buildings on the premises, nor make any structural alterations without the prior written consent of the Seller, which consent shall not be unreasonably withheld. In the event of a default as hereinafter set forth, any improvements made by the Buyer will become the property of the Seller and shall not be removed by the Buyer.

7. The Buyer covenants and agrees to pay all charges for heat, gas, electricity and other utilities and all other costs in connection with the occupation of said premises and to indemnify the Seller for any loss from his/her failure to do so.
8. The Buyer covenants and agrees that the Seller may inspect the premises at any reasonable time, upon reasonable notice, during the term of this agreement.
9. The Buyer shall have possession of the premises on or before February 1, 2010.
10. The Buyer covenants and agrees to use the premises only for lawful purposes.
11. The Buyer shall not assign this agreement or his/her interest therein or any part thereof without the prior written consent of the Seller which consent shall not be unreasonably withheld.
12. The Buyer covenants and agrees that he/she will keep and faithfully perform each and every term and condition of this agreement on his/her part to be performed.
13. In the event of a default in payment or breach of any other term or covenant of this agreement for thirty days or more, the Seller, at his option, may declare the entire balance remaining to be paid in full.
14. In the event of any default in payment of principal and interest or in timely reimbursement for paid taxes and insurance, the Buyer agrees to execute a deed of all his/her right, title and interest in and to the premises described herein for the purpose of conveying title back to the Seller. In the event the Buyer fails to do so, the Seller may resort to any legal remedy including foreclosure. In that event, the Buyer shall be liable for all legal expenses incurred by the Seller, including reasonable attorney's fees.
15. A waiver by the Seller of any default in payment or of any breach in any of the terms, conditions or covenants herein contained shall not bar his right to avail himself of any subsequent default in payment or breach of any such terms, conditions or covenants nor in any manner constitute a waiver thereof
16. When the Buyer has paid all of the purchase price of the premises, and has made all the payments herein and has otherwise performed hereunder, he/she shall be entitled to receive a Warranty Deed containing the description of the premises herein set forth in proper form for recording and an Abstract of Title. The Buyer shall be solely responsible for all expenses, including continuation of the Abstract to the date of final closing as well as all other legal expenses including attorney's fees. The Seller shall not be responsible for any costs connected with the transfer of the deed or any associated costs or expenses.
17. Both Buyer and Seller have been informed of the apparent conflict of interest in being both represented by attorney Stuart A. McCreary. Both parties hereby acknowledge that they were informed of such conflict and have waived any objections with the understanding that in the event of a legal dispute under this contract, attorney Stuart A. McCreary would have to withdraw from representation of either party. The parties further acknowledge that this contract was formed without benefit of an abstract of title (it being in possession of mortgagee) and that attorney Stuart A. McCreary has only reviewed a "stub search" of the title. The parties have further been advised that entering into this contract may in fact be a violation of the terms of Seller's mortgage and that mortgagee could call the loan, requiring Seller to satisfy it in full, prior to the final payment date of this contract.

18. This agreement and every term, condition and covenant hereof shall be binding upon and inure to the benefit of the parties hereto and their respective successors, assigns, distributees and legal representatives, subject only to the assignment and transfer restrictions described herein.

IN WITNESS WHEREOF, the parties hereto have duly set their hands and seals the day and year first above written.

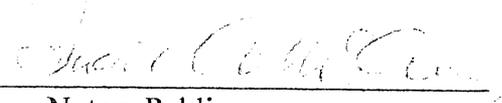

DUANE ALARIE, Seller


DEANNA M. HIRSCHHEY, Buyer


MICHAEL B. HOHS, Buyer

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

On the 07th day of January, 2010, before me, the undersigned a notary public in and for said state, personally appeared **DUANE ALARIE**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

Notary Public
Stuart A. McCreary
Jefferson County, NY
02MC4902145
Commission Expires July 6, 2011

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

On the 1 day of January, 2010, before me, the undersigned a notary public in and for said state, personally appeared **DEANNA M. HIRSCHHEY**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

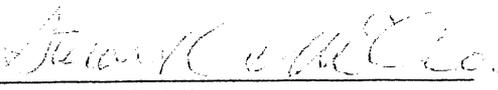


Notary Public

Notary Public
Stuart A. McCreary
Jefferson County, NY
02MC4902145
Commission Expires July 6, 2011

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

On the 8th day of January, 2010, before me, the undersigned a notary public in and for said state, personally appeared **MICHAEL B. HOHS**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



Notary Public

Notary Public
Stuart A. McCreary
Jefferson County, NY
02MC4902145
Commission Expires July 6, 2011

SIGNATURE AUTHORIZATION

I hereby authorize: Michael Hobst & Deanna Hyslop to sign my name to an application for a (BUILDING) (MAINTENANCE & REPAIR) (SIGN) (PLUMBING) permit for or in connection with property owned by me located at: 414-416 Stone St., Watertown, NY - 13601

(Street) (Avenue) (Boulevard) (Drive)

Also, I further agree to comply with all conditions called for in said application and to abide by all other applicable codes, ordinances, and regulations.

Business Name _____

Signature of Business Representative _____

Print Name _____ Date _____

Deanna Alarie
 Signature of Property Owner

Deanne Alarie 5/1/12
 Print Property Owner's Name Date

412 Stone St.
 Address

Watertown NY 13601

613 391 1441 Fax

CONSENT TO VARIANCE AND ALTERATIONS

I, Duane Alarie, recognize and consent that Deanna Hirschey and Michael Hobs are applying for a zoning/area variance and a special use permit to turn 414-416 Stone St., Watertown, NY, 13601 into a multifamily rental property. I consent to them making renovations and structural alterations to the property within the confines of the law for the purpose of turning this property into a multifamily.

Signed,



Duane Alarie

Address: 412 Stone St.Ph #: 613.391.1441

May 1 2012

Excerpt from 7/3/12 Planning Board Meeting Minutes

TABLED SPECIAL USE PERMIT – MULTIFAMILY 414 STONE STREET – PARCEL 10-03-205

The Planning Board then considered a request submitted by Deanna Hirschev and Michael Hohs to allow a 4-unit dwelling in a Residence C District located at 414 Stone Street, parcel 10-03-205.

Mr. Hohs was present to explain the request. He stated that since the previous meeting, they had obtained a survey showing that they could build three units by right, but that they would still prefer to build four for financial reasons. He explained that four units should be allowed for several reasons:

- There are already several boarding house type residences in the area with more people and more cars than his building would have.
- The large empty area in the rear of this property allows for plenty of off-street parking (up to 8 cars by his estimate)
- With four units, he would probably just have four tenants. With three larger units, he might end up with 6 or more tenants.
- He lives next door and would be an involved landlord.
- The opposite side neighbor also approves of putting four units in place.

Mrs. Freda asked if Mr. Hohs had looked into buying nearby property to increase the size of this parcel.

Mr. Hohs said that he had, but the additional costs associated with rewriting all the mortgages would make it too difficult to pursue.

Mr. Davis asked how much livable space would be available in the house. Mr. Hohs said he was unsure, but the house is probably about 3,000 gross square feet.

Mr. Katzman noted that there appears to be an encroachment at the front of the driveway. Mr. Hohs said that he believes the neighbor's driveway encroaches slightly on the property.

Mr. Katzman pointed out that with several cars parked in the rear yard, there would be very little green space left for the tenants, which is a necessary amenity in the current rental market.

Mr. Hohs noted that there is a large public park near by which gets little use.

Mr. Davis said that public space is not necessarily an in-kind substitute for private green space. He also noted that the apartments would be small given the size of the house and the need for interior circulation.

Mr. Katzman warned that it would be difficult to use the attic for a living space because of the fire exit requirements. The existing plumbing may also prove insufficient.

Mr. Hohs stated that he believes these issues are solvable, and that the building could be made beautiful and functional.

Mrs. Gervera stated that while she is sympathetic to the applicant's desire to make this project succeed, the legacy of this Permit may extend beyond Mr. Hohs' interest in the property. Allowing four units is too tight for the property, and there is no guarantee that future owners would treat the building well. She stated that she is especially concerned with the narrowness of the lot.

Mr. Hohs asked for clarification on the topic of green space. There was some general discussion regarding green space standards.

Mrs. Gervera then made a motion to recommend that City Council approve the request submitted by Deanna Hirschey and Michael Hohs to allow a 4-unit dwelling in a Residence C District located at 414 Stone Street, parcel 10-03-205.

Mr. Fontana seconded. The motion was defeated 1 to 6, with Ms. Pistolese voting in favor.

Excerpt from 6/5/12 Planning Board Meeting Minutes

SPECIAL USE PERMIT – MULTIFAMILY 414 STONE STREET – PARCEL 10-03-205

The Planning Board then considered a request submitted by Deanna Hirschey and Michael Hohs to allow a 4-unit dwelling in a Residence C District located at 414 Stone Street, parcel 10-03-205.

Mr. Hohs and Ms. Hirschey were present to explain their request. Mr. Hohs explained that they had bought the property in order to clean it up. The building needs lots of renovation work, and having four rental units would make the financial situation more tenable.

Mrs. Freda asked if the applicants live at this house. Mr. Hohs stated that they live next door and share a driveway with the property in question. He also stated that the former owners had unsavory tenants and there was probably drug activity, which motivated them to purchase the property and clean it up.

Mr. Harris asked if three units would work financially.

Mr. Hohs stated that with only three units, some work would not be possible. He said that he would not be able to install new siding, build a garage, or repave the driveway without the fourth unit's rental income.

Mrs. Gervera commented that she had seen the applicants work on the house, and that it looks better already.

Mrs. Freda asked where the stairs in the building are located. Mr. Hohs said that the stairs are all interior, near the center of the house. He drew a diagram.

Mrs. Freda then stated that because of the lot area requirement, a variance would be needed from the Zoning Board of Appeals, and she does not see that there are any unique circumstances surrounding this property that would allow the ZBA to grant a variance.

She continued, saying that a 4-unit residence seems out of character for the neighborhood, which is mostly composed of singles and duplexes.

Mr. Hohs countered that there are several multi-unit buildings nearby, as well as some apparently crowded boarding houses.

Mrs. Freda reiterated that she believes the applicant's intentions are laudable, but she would rather see a duplex or a triple. She also noted that these would be allowed as-of-right, with no approval needed.

Mr. Wood clarified that the Assessment record for the lot indicates that it is 7,300 square feet, so only a duplex is allowed as-of-right. The actual lot size does appear to be larger, and the applicant could hire a surveyor to prove this to Code Enforcement so that a triple could be allowed.

Mrs. Gervera reiterated that she was happy about the cleanup of this property, but she agrees that four units seems like a tight fit, especially considering how many people have multiple vehicles these days.

Ms. Hirschey stated that the units would be small, and it would be unlikely that any tenants would have multiple cars.

Mrs. Freda stated that the increased density could easily lead to problems in the future, no matter how conscientious of a landlord the applicants are. The future owners could be neglectful of the property.

Mr. Hohs stated that they have no plans to leave, and that he hopes the increased property value that results from their renovations would prevent that from happening. He does not think that a slumlord would be interested in the property after it has been renovated, because they look for low value properties with low maintenance costs.

Mr. Harris asked if the applicant could reduce the number of units and just delay the siding and site improvements for a while.

Mr. Hohs stated that it would be difficult to finance that way, since they would have to pay out of pocket for the future work instead of using a construction loan.

Mrs. Gervera said that she would recommend getting a survey to see if a triple can be allowed, and then proceed from there.

Mrs. Freda said that the applicant could also look into acquiring a piece of a neighbors property in order to increase the lot size. There was some general discussion regarding the likelihood of any neighbors being willing to subdivide and sell.

Mr. Hohs indicated that he would rather have the application tabled than rejected at this time.

Mr. Fontana made a motion to table the request submitted by Deanna Hirschey and Michael Hohs to allow a 4-unit dwelling in a Residence C District located at 414 Stone Street, parcel 10-03-205.

Mr. Harris 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)

May 31, 2012

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

Re: Deanna Hirschey & Michael Hohns, Special Use Permit for multifamily dwelling
JCDP File # C 5b - 12

Dear Andrew:

On May 29, 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. Thank you.

Sincerely,

E. Hartley Bonisteel
Community Development Coordinator

EHB

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART 1 - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR <i>Deanna Hirschey and Michael Hobs</i>		2. PROJECT NAME <i>Applying for Special Use Permit on prop.</i>	
3. PROJECT LOCATION: Municipality <i>Watertown</i> County <i>Jefferson</i>			
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <i>414-416 Stone St., Watertown, NY-13601</i>			
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration			
6. DESCRIBE PROJECT BRIEFLY: <i>We wish to take the large 2 unit building and turn it into 4 smaller units. If we are approved for an area variance, we'll also need approval for a "Special Use" permit. There seems to be room for at least 9 parking spaces in rear lot.</i>			
7. AMOUNT OF LAND AFFECTED: <i>only this property will be affected.</i> Initially _____ acres Ultimately _____ acres			
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If no, describe briefly <i>We would need an area variance + special use permit.</i>			
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:			
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If yes, list agency(s) and permit/approvals <i>We'll need an area variance, special use permit, and also building permits prior to renovation.</i>			
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) and permit/approvals			
12. AS A RESULT OF PROPOSED ACTION, WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>NA</i>			
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE			
Applicant/sponsor name: <i>Deanna Hirschey & Michael Hobs</i>		Date: <i>5/15/12</i>	
Signature: <i>Deanna Hirschey</i> <i>Michael Hobs</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 – ENVIRONMENTAL ASSESSMENT / To be completed by Agency

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.
 Yes No

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

- C. COULD ACTION RESULT IN **ANY** ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)
- C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

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

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

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

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

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

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

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CEA?
 Yes No

E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS?
 Yes No If yes, explain briefly

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

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

- Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

July 11, 2012

To: The Honorable Mayor and City Council

From: Michael A. Lumbis, Planner

Subject: Accepting the Proposal for the Soldiers and Sailors Monument Conservation Project, Conservation Solutions, Inc.

On May 10, 2012, Staff issued a Request for Proposals (RFP) to qualified sculpture and outdoor monument conservators for the Soldiers and Sailors Monument Conservation Project. The project involves the restoration of the 1891 Civil War Monument on Public Square and will include the cleaning of all of the monument's granite and bronze surfaces, stain removal, masonry repairs, and the repair of mortar and lead joints. The project will be funded using a grant from the NYS Office of Parks, Recreation and Historic Preservation, which will pay 75% of the cost up to \$150,000.

A notice for the RFP was published in the Watertown Daily Times, the NYS Contract Reporter and on the City's web site. In addition, information on the project was sent to companies with experience in completing similar type projects. As a result of the advertisement and outreach, a total of 21 RFP packages were sent to interested contractors.

On June 12, 2012, the City received two (2) proposals for the work. One was submitted by Conservation Solutions, Inc. of Santa Fe, NM and the other from Kreilick Conservation, LLC of Orelan, PA.

A proposal selection committee was then formed to review the proposals. After a thorough review and discussion of the proposals and the pricing, the proposal review committee is unanimously recommending that the City Council accept the proposal, including the alternate for the sailor's sword replacement, submitted by Conservation Solutions, Inc., Santa Fe, NM, in the amount of \$98,921.66. A tabulation of the proposal costs from both firms is provided in the attached report from City Purchasing Manager Amy M. Pastuf.

Conservation Solutions, Inc. has extensive experience in completing projects of similar size and complexity and also has previous experience working for the City as they were the conservators for the Roswell P. Flower Monument Restoration Project.

Attached for City Council consideration is a resolution that accepts the proposal from Conservation Solutions, Inc. and authorizes the City Manager to enter into and execute a contract for professional services on behalf of the City.

RESOLUTION

Page 1 of 1

Accepting the Proposal for the
Soldiers and Sailors Monument
Conservation Project, Conservation
Solutions, Inc.

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

Total

YEA	NAY

Introduced by

WHEREAS the City of Watertown has successfully obtained grant funding from the New York State Office of Parks, Recreation and Historic Preservation for the Soldiers and Sailors Monument Conservation Project, and

WHEREAS the Soldiers and Sailors Monument Conservation Project will include the restoration and cleaning of all granite and bronze surfaces, stain removal, masonry repairs, and the repair of mortar and lead joints, and

WHEREAS on May 10, 2012, the City initiated the project by requesting proposals from qualified sculpture and outdoor monument conservators, and

WHEREAS on June 12, 2012, the City received two (2) proposals from qualified conservators, and

WHEREAS a proposal review team has evaluated the proposals and is recommending the acceptance of the proposal, including the alternate for the sailor's sword replacement, submitted by Conservation Solutions, Inc. of Santa Fe, NM in the amount of \$98,921.66,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York that the proposal, including the alternate for the sailor's sword replacement, submitted by Conservation Solutions, Inc. of Santa Fe, NM for the Soldiers and Sailors Monument Conservation Project is hereby accepted, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized to enter into an Agreement for Professional Services with Conservation Solutions, Inc. on behalf of the City for the Soldiers and Sailors Monument Conservation Project in the amount of \$98,921.66.

Seconded by

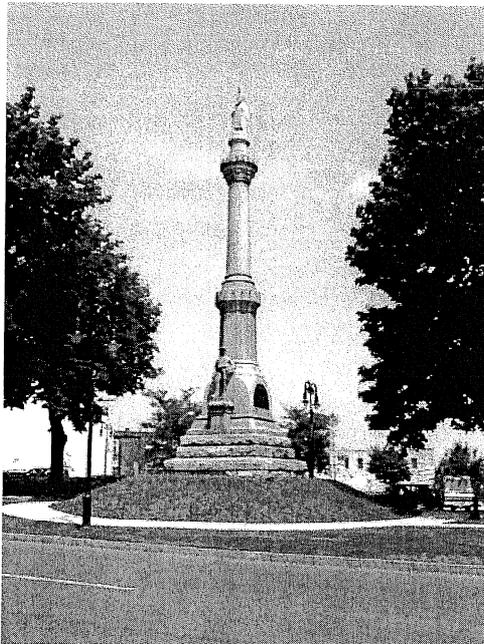
PROPOSAL

for the

Conservation of the Soldiers and Sailors Monument in Watertown, New York

for

The City of Watertown, New York



Prepared for:

Amy M. Pastuf,
Purchasing Manager
245 Washington Street, Room 205
Watertown, New York 13601

Prepared by:

Joseph Sembrat
Senior Executive Vice President

Date:

June 12, 2012



TABLE OF CONTENTS

TOPIC	PAGE
Introduction	p 3
Statement - Company Information.....	p 3
Awards.....	p 3
Industry Guidelines	p 4
Preliminary Work Plan	p 5
Project Team.....	p 8
Project Listing – Prior Relevant Experience	p 9
Photographs	p 11
References.....	p 15
Schedule.....	p 15
NYS OPRHP Requirements.....	p 16
Appendix A:.....Resumes	
Appendix B:.....Relevant Prior Experience	
Appendix C:.....Work Schedule	
Appendix D:.....NYS OPRHP Requirements	

INTRODUCTION

We are very pleased to provide this proposal for Conservation of the Soldiers and Sailors Monument in Watertown, New York.

Conservation Solutions, Inc. (CSI) has extensive experience in the repair and preservation of outdoor masonry and bronze, as well as in working in high-profile, high-traffic public locations, which uniquely qualifies us for this project.

In addition to the referenced projects we are identifying in this proposal, we invite you to browse our vast portfolio of projects at our website www.conservationsolutionsinc.com. We are confident that we bring un-matched abilities to granite cleaning and stain removal, joint repair and replacement, as well as the conservation of the two bronze figures requested in the RFP dated May 10, 2012.

STATEMENT - COMPANY INFORMATION

Conservation Solutions, Inc. is a woman-owned small business, which, since its establishment in 1999, has developed into a leading, nationwide, historic preservation firm focusing on art, artifacts and architecture. Conservation Solutions has extensive expertise in condition assessment, testing and analysis, treatment design, specifications development, implementation and documentation. We apply the highest standards to minimal intervention, fidelity to the artist's original intent, and reversibility. Our work complies with the standards of the AIC, the Secretary of the Interior, and industry best practices.

Our Senior Conservators are Fellows of the American Institute for Conservation (AIC) and offer a combined 50+ years of experience in the field of historic conservation. Conservation Solutions retains a comprehensive knowledge of traditional and innovative conservation techniques and works with highly qualified practitioners on an extraordinarily broad range of materials, from masonry, metal and wood to mosaics and frescos. We also maintain a network of specialized contractors and industry experts in the areas of corrosion, engineering, testing, biochemistry, metalworking, and coating who assist us with the design and specifications of custom solutions for unique and complex conservation projects.

Besides the corporate headquarters in Santa Fe, NM, Conservation Solutions maintains a 4,000-square-foot conservation studio in Forestville, MD, that has been designed to accommodate large-scale projects. The studio houses an 800-square-foot testing laboratory with the analytical equipment needed to characterize and evaluate historic and artistic materials.

Awards

Conservation Solutions, Inc. has earned numerous awards over recent years, which are highlighted below.

- ▶ **Chairman's Award, 'Award for Excellence in Historic Preservation' - 2012**
Historic Preservation Review Board
Project: Hill Center at the Old Naval Hospital, Washington, DC

- ▶ **Excellence in Historic Preservation Award - 2011**
Preservation League of New York State
Project: New York Public Library, New York, NY

- ▶ **Lucy Moses Preservation Award- 2011**
New York Landmarks Conservancy
Project: New York Public Library, New York, NY

- ▶ **Outstanding Achievement in the Field of Restoration/Rehabilitation - 2011**
Florida Trust for Historic Preservation
Project: Coral Gables Museum, Coral Gables, FL

- ▶ **Historic Preservation Awards/Outstanding Public Archaeology - 2010**
City of Paterson Historic Preservation Commission
Project: Allied Textile Printing Mill Investigation, Paterson, NJ

- ▶ **Outstanding Restoration of Historic Site Award - 2009**
Dade Heritage Trust
Project: Flagler Memorial Monument, Miami Beach, FL

INDUSTRY GUIDELINES

Our recommendations will be based on the following industry guideline documents:

- ▶ United States Department of the Interior, National Park Service, "The Secretary of the Interior's Standards for the Treatment of Historic Properties", latest edition.
- ▶ American Institute for Conservation of Historic and Artistic Works (AIC) "Code of Ethics" and "Guidelines for Practice", latest edition.

Goals of minimal intervention, preservation of historic fabric, documentation and reversibility will be followed in the determination of treatments. Uniqueness and fragility of the object may be contributing factors in the definition of the treatment goals. We strive to apply the highest standards of treatment consistent with these specified goals. Treatments within this context assume the client's acceptance of some degree of weathering, wear, usage, and age. Such treatments are not intended to achieve as-new conditions and the client should acknowledge that continued use or exposure of the artifact may entail the need for on-going maintenance and, depending on exposure and use, possible retreatment.

Our Senior Conservators are Fellows of the American Institute for Conservation (AIC) and will perform or direct all treatments, documentation, and research in accordance with its "Code of Ethics" and "Guidelines for Practice." Whenever any of the above-mentioned standards are in conflict, the supervisory conservator will abide by the more stringent approach in order to prevent any damage to the artifact.

PRELIMINARY WORK PLAN

Access

We propose to use primarily an articulating man-lift (approximately 65' reach) to access the monument. Limited scaffolding may be used to access the lower elements of the monument as needed, namely the bronze figures. Site protection (plywood sheets) will be laid under the path of the man lift to protect grass and paved surfaces from compression or staining. The lift shall only be operated by trained, competent persons and proper safety equipment will be worn at all times. If scaffolding is used, it will be contained to only the minimum footprint necessary. Scaffolding will only be erected by trained, competent persons; protection will be placed between the monument and the scaffold in the form of wood blocks, neoprene pads, or other similar protective material.

Cleaning, General

Treatment would begin with general cleaning. Cleaning tests will be undertaken in discreet locations to determine the level of cleaning that could safely be achieved and not have the stone appear "over-cleaned". Tests will begin with the gentlest cleaning techniques and proceeded until an acceptable level of cleanliness is achieved. Once an appropriate level of cleaning is determined, cleaning will be performed to achieve the accepted level.

A dilute solution of Triton X-100 non-ionic detergent will be applied to pre-wetted stone surfaces with soft, natural or nylon bristle hand brushes. Care will be taken to ensure that all surfaces are evenly and thoroughly cleaned. Small detail natural bristle brushes and wood skewers were used where necessary to clean interstices in and around decorative elements and details. Cleaning will commence at the bottom of the monument and proceed upward to prevent streaking. The solution will be rinsed from the surface using heated, filtered, pressurized water (low to medium pressure, 400-600 psi). The water will be heated in a stainless steel boiler. When necessary, the water will be double-filtered through a 5-micron cellulose and 20-micron activated carbon filter system. Paper filters will be changed as needed by observation through the clear plastic filter housing. Care will be taken to maintain consistent cleaning procedures throughout to avoid uneven cleaning results. If, after the initial cleaning, localized soiling remains, additional cleaning will be performed using the same methods on a spot-specific basis.

Removal of Biological Growths

After general cleaning, all stone surfaces will undergo cleaning to remove biological growth. A dilute solution of D/2 Biological Solution will be applied to a pre-wetted surface at the site of biological growths using a soft nylon bristle brush. The solution will be allowed to sit on the surface for the necessary dwell time and agitated periodically. Once the necessary dwell time has elapsed, the biocide will be rinsed from the surface using heated, filtered, pressurized water (low to medium pressure, 400-600 psi). If, after the initial cleaning, localized soiling remains, additional cleaning will be performed using the same methods on a spot-specific basis. Moss and heavy vegetative growths will be removed by careful scraping with bamboo skewers and natural bristle brushes.

Detail Cleaning

Tenacious calcite runs will likely be removed through a combination of mechanical cleaning using hand tools and micro-abrasion. The thickest crusts will be carefully removed through a combination of hand chipping methods with stone chisels and Dremel tools. Care will be taken not to damage the underlying stone. Final removing of the underlying thin crust will be performed using the Quintek Rotec Vortex Cleaning Process, a low-pressure micro-abrasive cleaning technology specially designed for detailed cleaning of sensitive building facades and monuments. Through this process, a Vortex nozzle projects a low-pressure swirl of air, water, and an inert, micro-fine milled glass cullet (0.030") to clean soiling crusts from the surface. The surface will be carefully monitored during treatment to ensure that no abrasion occurs beyond removal of the crusts.

Iron Stain Removal

Deep-seated iron stains are likely to be reduced through the use of a topical treatment such as Iron-Out or through the application of a poultice. The exact sequence of products to be used and methodology will be determined through the initial cleaning test process. The stain will be treated locally, with care taken to contain the treatment to the site of the stain only. Any product will be applied as needed to achieve the approved level of clean while avoiding excessive or over-cleaning of the stone.

Copper Stain Removal

Copper staining is a difficult stain to remove and, if treated improperly, the condition may actually be worsened. Based on our extensive experience in copper stain removal, we recommend that Prosoco T515 copper stain remover poultice or other approved product should be applied to entire stone blocks affected by copper staining. Along with this, it will be necessary to cut out joints surrounding each block to be treated and fill it with backer rod or otherwise isolate from other stones before poultice cleaning. Localized "spot" cleaning cannot be performed. After the appropriate dwell time (typically, overnight), the poultice will be removed from the surface using a flexible plastic scraper and the surface rinsed according to standard procedures..

Masonry Repairs

The broken corner of the cyma will be pinned back in place using type 316 stainless steel threaded-rod. The size (diameter, thickness, length) of the pin will be selected based on the size of the repair. A slightly oversized hole will be drilled to accept the pin. The pin will be set using either a 2-part epoxy material appropriate for use with masonry or a grout. Stone to stone bonding will be achieved through the application of a stone adhesive (Jahn Adhesive or an acrylic modified Portland-lime mixture). Clamps and straps will be used to achieve a tight bond and secure all parts in place during curing.

Mortar Joints

Existing mortar joints will be carefully removed. Failed and inappropriate mortars will be carefully removed by hand using chisels, Dremel tools, and/or right angle grinders. The mortar will be removed to a minimum depth of 1 ½ times the joint width. Prior to re-pointing, the joint will be flushed using water and/or compressed air to ensure a good bond of the new mortar to the stone. If a deep cavity is identified, this space will be filled with a low-viscosity injection grout prior to pointing. Once filled, the joint will be pointed. The mortar joint profile (flush, recessed,

etc.) and appearance will match the existing as closely as possible, and will be compatible with granite masonry construction.

Lead Joints

Sound lead joints, if present, will not be disturbed. Displaced lead will be tamped back into place and reformed as needed to ensure a tight, secure joint. Missing lead will be replaced to match the existing as closely as possible.

BRONZE TREATMENT

Cleaning

General atmospheric soiling should be removed through general surface cleaning using a mild detergent (Orvus or other acceptable product). A dilute solution of Orvus non-ionic detergent will be applied to pre-wetted bronze surfaces with soft, natural or nylon bristle hand brushes and gently agitated. The solution will be rinsed from the surface using heated, filtered, pressurized water (low to medium pressure, 400-600 psi). The water will be heated in a stainless steel boiler. After general surface cleaning, any loose bronze corrosion products that remain should be removed through additional surface cleaning using heated, medium to high pressure water (2000-2500 psi). This cleaning will be performed carefully to ensure the bronzes are not over-cleaned to bright or bare metal. If existing failed coatings are identified, these will be removed through the additional application of a stripper (methylene chloride-based or other approved product).

Patination

Once the loose corrosion and failed coatings have been removed, the surface will be carefully inspected to map any aged patina on the surface and to document any other unusual findings. Selective repatination should be performed to reduce disfiguring streaking. This will be achieved through a variety of patina chemicals, applied solely or in sequence. The exact patina methodology will be developed through testing on-site. The goal will be to work within the parameters of the existing patina color while re-establishing a consistent tone overall. The exact coloration desired should be established in consultation with the client but is anticipated to be a rich green/brown patina with subtle modulations in color and texture - not unlike that of a well-maintained sculpture of similar age. The patina chemical solution will be applied to a surface heated with a propane torch. Sheet metal flashing will be used to protect adjacent stone surfaces during this process. Propane tanks will remain on the ground and sufficiently lashed to a stable, fixed point. A skilled patineur will perform all work. Patination will continue until all surfaces are adequately toned. Excess, un-reacted chemicals will be rinsed from the surface with filtered water once the patina is developed to the desired appearance.

Coating

The bronze sculptures and plaques should then receive a protective coating of wax. The bronze will be heated with a propane torch; similar protection will be used as during the patination process. Care will be taken to never overheat the metal or direct the flame at the stone. New wax will be added in areas of coating loss- generally understood to be overall. The wax will be distributed so that an even coating layer overall is achieved. After cooling, the surface will be lightly buffed to a semi-gloss finish. Following hot-waxing, a sacrificial coat of Butcher's Bowling Alley cold paste wax will be applied to the sculptures and plaques (2 coats in particularly high-wear areas). In select areas, dry mineral pigment may be mixed with the final application of

wax to even out the toning and appearance of the bronze. Alternatively a lacquer coating can be applied at no additional cost.

Lead Joints

Sound lead joints, if present, will not be disturbed. Displaced lead will be tamped back into place and reformed as needed to ensure a tight, secure joint. Missing lead will be replaced to match the existing as closely as possible.

Recreation of Missing Cutlass Blade

At the choosing of the client, a new cutlass blade may be recreated to replace what is missing. A mold should be taken from a similar element, if available, or modeled in clay based on historic documentation and to match existing profiles and mounting points. The model should be scaled to allow for shrinkage during casting so that the finished bronze is the correct size. The blade should be cast in a compatible bronze alloy. The blade should be installed securely in its original location using stainless steel and/or bronze hardware. Welding may be appropriate to further increase the strength of the repairs and ensure against future loss. It should then be similarly patinated and waxed to match the remainder of the sculpture.

Please note that bronze casting is considered a "long lead" item which can take several weeks or months of produce based on the availability of the foundry at that particular time, a condition which is out of the control of the conservators.

Landscape Restoration

Modest landscape restoration may be performed as needed if grass surfaces or plantings are disturbed during the treatment. This shall include returning the landscape to its pre-construction condition, and shall not include any improvements beyond what is currently at the site.

PROJECT TEAM

All work is performed by our staff and/or contracted conservators under the direction of a Senior Conservator. Our Senior Conservators are supported by our group experienced and dedicated Conservators, Project Managers, and Technicians.

CSI conservators will perform or direct and supervise all treatments, documentation, and research and are responsible for establishing and maintaining conservation standards throughout the project. Individually and collectively they review and approve all work to ensure that it complies with the goals of the AIC, the Secretary of the Interior's Standards, and industry best practices.

All of our conservation staff has extensive expertise in the analysis and treatment of limestone, granite and bronze. The individuals that we have identified for the conservation treatment of this project are listed below.

- ▶ **Joseph Sembrat, Senior Executive Vice President & Senior Conservator**
MS Historic Preservation, Columbia University Fellow of the American Institute for Conservation, 20 years experience in the conservation analysis and treatment of outdoor artifacts, buildings, monuments and sculpture.

- ▶ **Mark Rabinowitz, Executive Vice President & Senior Conservator**
BFA Sculpture, Rhode Island School of Design
Fellow of the American Institute for Conservation, Fellow of the American Academy in Rome
20+ years experience in the conservation analysis and treatment of outdoor artifacts, buildings, monuments and sculpture

- ▶ **Daniel Lane, Operations Director, Conservator**
MS Historic Preservation, Columbia University
Associate Member of the American Institute for Conservation, 10 years experience in the conservation analysis and treatment of outdoor artifacts, buildings, monuments and sculpture.

- ▶ **Justine Bello, Senior Conservator**
MS Historic Preservation, Columbia University
Professional Associate of the American Institute for Conservation, 5 years experience in the conservation analysis and treatment of outdoor artifacts, buildings, monuments and sculpture.

- ▶ **Jacquelyn Gulick, Conservator**
MFA Historic Preservation, Savannah College of Art and Design
Associate Member of the American Institute for Conservation, 2 years experience in the conservation analysis and treatment of outdoor artifacts, buildings, monuments and sculpture.

CSI constantly updates its knowledge base through attendance and presentations at conferences on art, architecture and archeological artifact preservation. Our conservators have presented at and/or attended scores of conferences relevant to the conservation treatment of outdoor monuments including:

- ▶ Annual conferences of American Institute for Conservation in 1991, 1992, 1995, 1997, 1999, 2000, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012
- ▶ Annual conferences of Association for Preservation Technology in 1996 - 2011
- ▶ Annual conferences of ICOM in 1996 - 2009
- ▶ National Park Service *Conservation of Outdoor Monuments*, 1991, 1993
- ▶ Stone conferences of ICOMOS, 2008, 2011

Please also refer to each conservator's resume for an overview of publications and presentations. Those resumes are available in Appendix A.

PROJECT LISTING - PRIOR RELEVANT EXPERIENCE

CSI has completed several recent limestone, granite and bronze conservation projects that are similar in scope and nature to the work required at the Soldiers and Sailors Monument. A selection of project summaries is included in Appendix B.

- ▶ **Pennsylvania Monument**, Salisbury National Cemetery, Salisbury, NC
Client/Owner: Department of Veterans Affairs / National Cemetery Administration
Location: Salisbury National Cemetery, Salisbury, NC
Project Dates: 2010
Materials: Bronze, Marble, Mortar, Granite
Services Provided: Cleaning, Re-pointing, Resetting of Sculpture, Copper Stain Removal

- ▶ **Monument to Soldiers and Sailors, Stillwater, Minnesota**
Client: Washington County, Minnesota
Location: Stillwater, MN
Performance Dates: 2007
Materials: Granite, Bronze, Lead
Services Provided: Assessment, Cleaning, Patination, Application of lacquer coating, Masonry Repair, Lead caulking of stone joints, Documentation

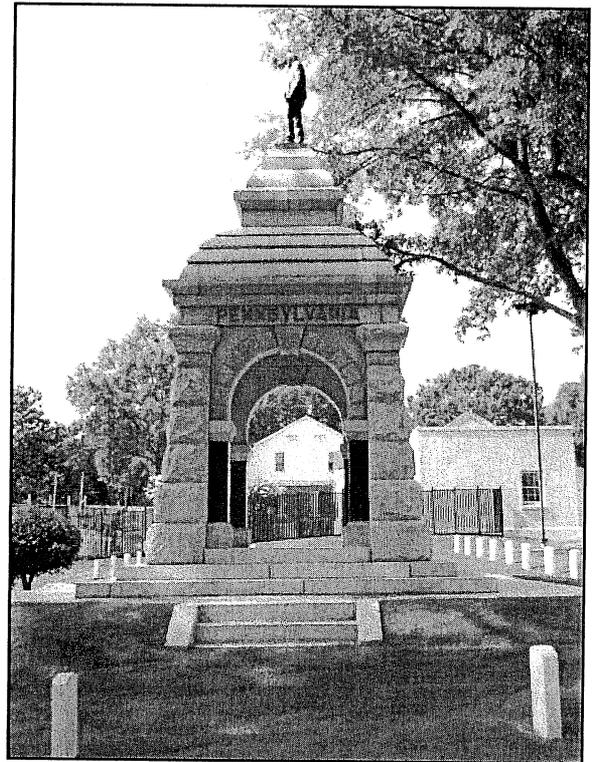
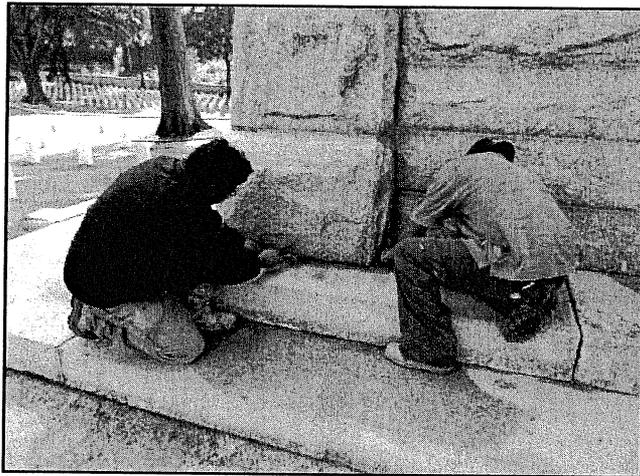
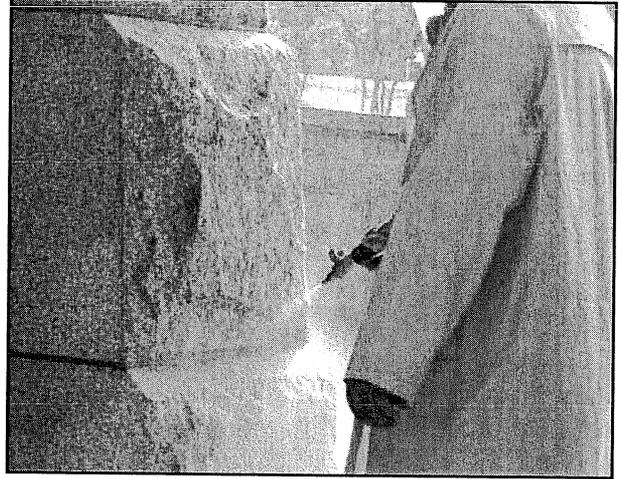
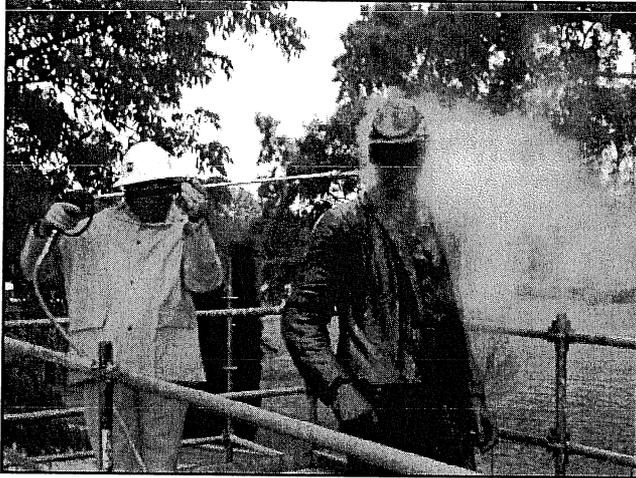
- ▶ **Mexican War Monument**, Harrisburg, Pennsylvania
Client/Owner: CA Lindman/PA Capitol Preservation Committee
Location: Harrisburg, PA
Project Dates: 2002-2005, 2012
Materials: Marble, Granite
Services Provided: Conditions Assessment, Conservation Treatment, Documentation, Maintenance

- ▶ **The Alma Mater Sculpture**, Columbia University, New York, New York
Client/Owner: Columbia University
Location: New York, NY
Project Dates: 2003 and 2009
Materials: Bronze, Granite, Marble
Services Provided: Corrosion Removal, Repatination, Protective Coating Application, Stone Dutchman Repairs, Patching and Repointing

- ▶ **Roswell P. Flower Monument**, Public Square Historic District, Watertown, New York
Client/Owner: Columbia University
Location: Watertown, NY
Project Dates: 2003 and 2009
Materials: Bronze, Granite, Marble
Services Provided: Corrosion Removal, Repatination, Protective Coating Application, Stone Dutchman Repairs, Patching and Repointing

Please also refer to the relevant project summaries, enclosed in Appendix B.

PHOTOGRAPHS



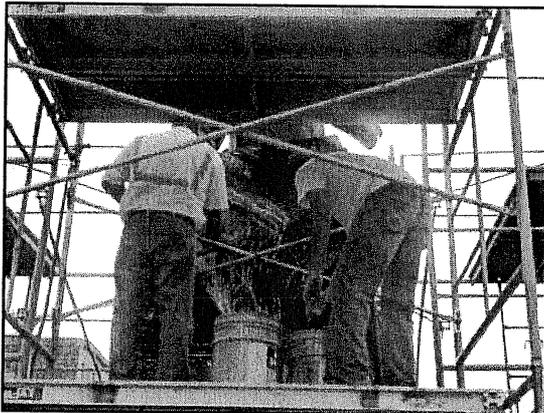
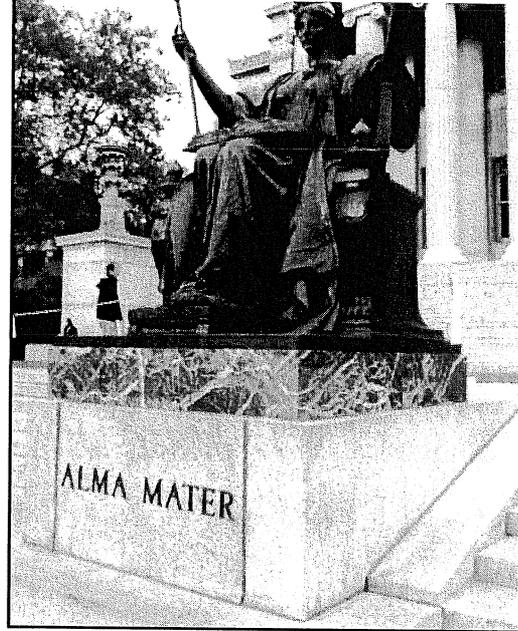
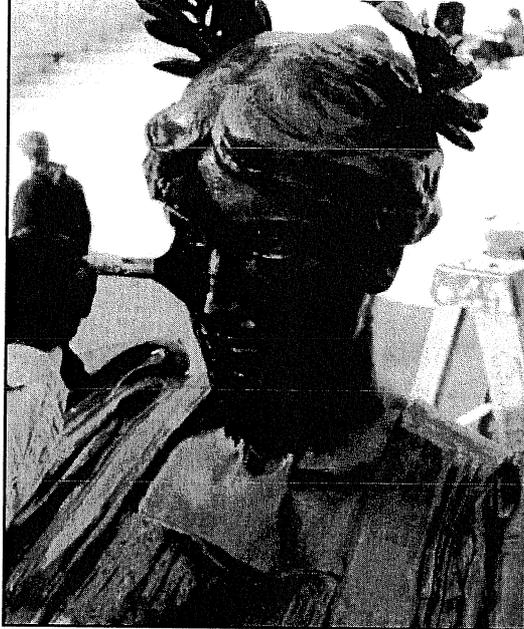
The Pennsylvania Memorial, Salisbury National Cemetery, Salisbury NC (completed 2010)

Clockwise from upper left: Heated, pressurized water is used to remove a failed coating from the bronze figure; detail cleaning of the granite using micro-abrasion; the monument after treatment; removing failed mortar by hand.

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Alma Mater, Columbia University, New York, New York (completed 2009)

Left: Applying wax to the heated bronze sculpture; Right: the monument after completion of treatment.

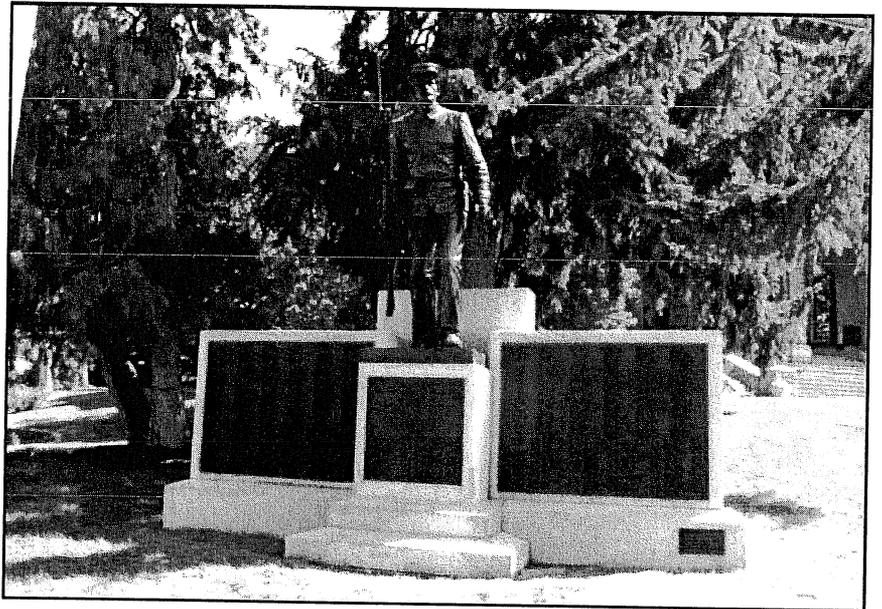
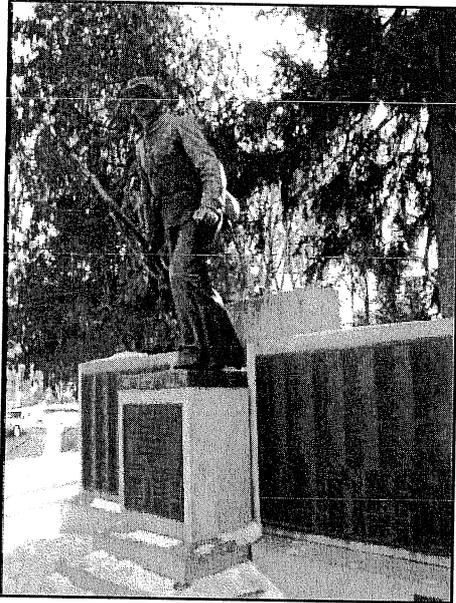


Roswell P. Flower Monument, Watertown, New York (completed 2009)

Left: Scrubbing the monument with detergent and soft nylon brushes; Right: carefully heating the bronze detail with a small blumber's torch in order to be able to coat it with wax.

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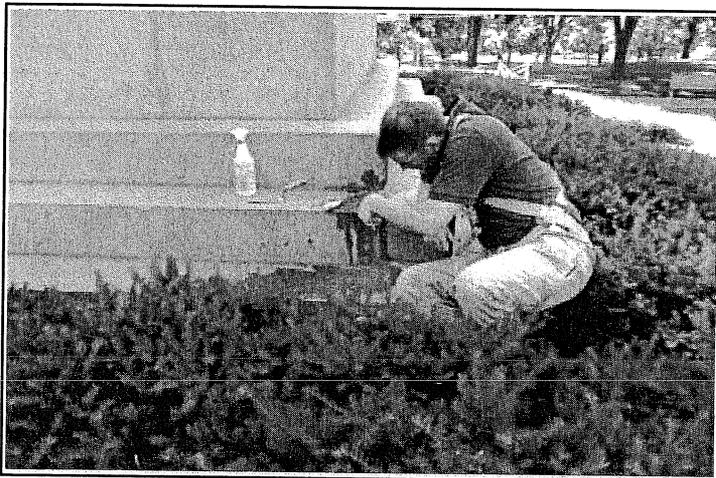
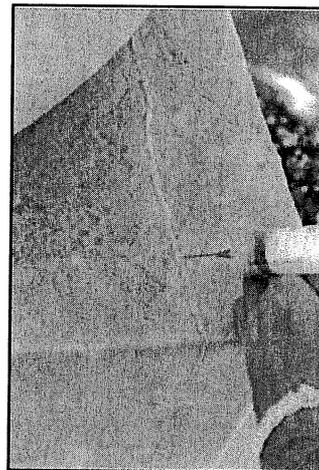
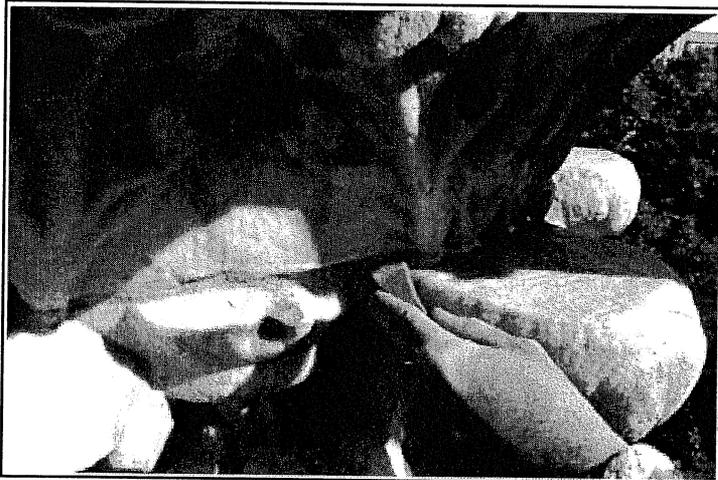
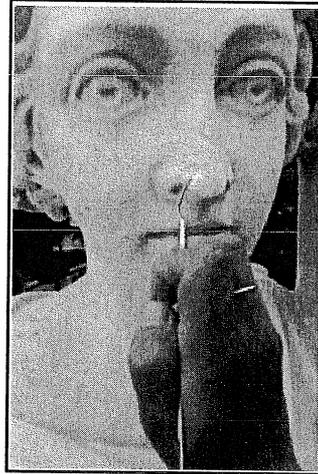
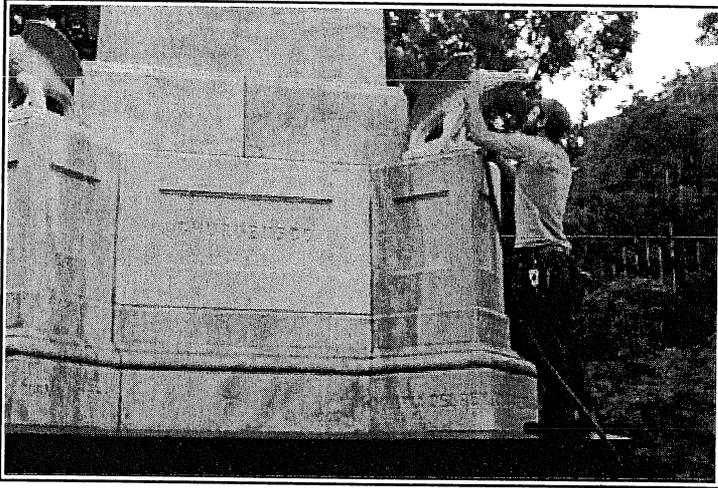
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repointing, patination and coating;
joints in the granite based are filled



Mexican War Monument – Pennsylvania State Capitol, Harrisburg, PA (completed 2012)

Clockwise from upper left: General detergent cleaning is performed of the monument; detailed removal of a biological growth using a fine picking tool; crack injection using a compatible grout; repointing a mortar joint in the granite base; detail cleaning of biological soiling using D/2 and a natural bristle brush.

REFERENCES

Name: Donna Jones
California Department of Parks and Recreation
Office of Historic Preservation
Address: 1725 23rd Street, Sacramento, CA 95816
Phone: (916) 653-9807
Email: djone@parks.ca.gov

Name: Laura DeNormandie-Brass
Chief Curator, Historic Sites Division
Texas Historical Commission
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Phone: (512) 463-6100
Email: Laura.DeNormandie-Bass@thc.state.tx.us

Name: Jorge Hernandez, Architect
+Member of the Board National Trust for Historic Preservation
Address: 337 Palermo Ave, Coral Gables, FL 33134
Phone: (305) 774-3361
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Name: Christopher J. Nolan
Vice President for Planning, Design and Construction, Central Park Conservancy
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Phone: (212) 310-6680
Email: cnolan@centralparknyc.org

Name: Remko Jansonius
Collections & Archives Manager
Address: 3251 South Miami Avenue, Miami, FL 33129
Phone: (512) 463-6100
Email: remko.jansonius@viscayamuseum.org

Name: Meisha Hunter
Li/Saltzman Architects, PC
Address: 62 White Street, 4th Floor, New York, NY 10013
Phone: (212) 941-1838 x 212
Email: Mhunter@lisaltzman.com

SCHEDULE

A detailed work schedule for completion of the project is enclosed in Appendix C.

NYS OPRHP REQUIREMENTS

- ▶ MWBE Utilization Plan
- ▶ EEO Policy
- ▶ Statement, and Non-Collusive Bidding Certification

Are enclosed in Appendix D.

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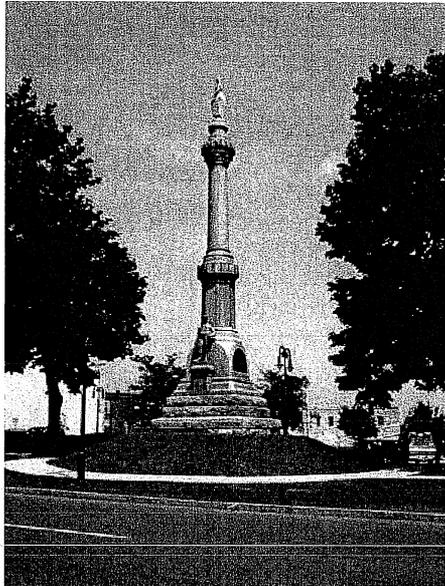
FEE PROPOSAL

for the

Conservation of the Soldiers and Sailors Monument in Watertown, New York

for

The City of Watertown, New York



Prepared for:

Amy M. Pastuf,
Purchasing Manager
245 Washington Street, Room 205
Watertown, New York 13601

Prepared by:

Joseph Sembrat
Senior Executive Vice President

Date:

June 12, 2012

CSI

833 East Palace Avenue
Santa Fe, NM 87501

(866) 895 2079 Office
(866) 843 1774 Fax

conservationsolutionsinc.com

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PRICE PROPOSAL

COST

Development of the detailed conservation plan	\$3,183.41
Stonework and masonry treatment	\$44,416.40
Bronze treatment	\$28,906.08
Site landscaping and restoration	\$3,901.41
Conservation oversight and project management	\$5,175.65
Development of the conservation treatment report	\$1,612.54
Alternate pricing for sword replacement	\$11,726.17
TOTAL	\$98,921.64

EXCLUSIONS/CAVEATS

- This price is valid for a period of 30 days from the date of the proposal.
- No work will be performed prior to receipt of a fully executed contract at which point a mutually acceptable schedule will be developed.
- This proposal is subject to acceptance of the terms and conditions of the contract/agreement.
- Costs are based on Davis Bacon Wage Determination Decision Number DC100004 11/11/2001.
- This price does not include any special insurance, permits, licenses or bonds.
- Conservation Solutions will require free and clear access to the work-site in an uninterrupted schedule for each door.
- Conservation Solutions will require access to water, electricity, and sanitary facilities at the work-site.

INSURANCE

Professional Liability Insurance

Our firm currently carries professional liability in insurance in the amount of \$1,000,000 aggregate; \$1,000,000 per occurrence. Our professional liability policy is with Lloyds of London Syndicate.

Excess/Umbrella Liability Insurance

Our firm currently carries excess/umbrella liability insurance in the amount of \$2,000,000 aggregate; \$2,000,000 per occurrence; with a \$10,000 self retained limit. Our policy is with Peerless Insurance Company.



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Fine Arts Insurance

Our firm currently carries fine arts insurance policy in the amount of \$500,000 for consignments located at our Maryland Studio; \$150,000 for professional contents including field equipment; \$500,000 during transit/outside limit; with a \$2,000 deductible. Our policy is with Lloyds of London Syndicate.

Contractor's right to either (1) incorporate the name of Conservation Solutions in any bid or proposal submission to any third party; (2) represent to any third party that Conservation Solutions will be performing any work encompassed by any bid or proposal submission; or (3) use any information, design, drawings, descriptions, or technical know-how provided by Conservation Solutions in any bid or proposal submission, whether naming Conservation Solutions or not, shall be expressly conditioned upon Contractor's agreement that in the event it is awarded any work encompassed by the bid or submission which is of the nature or character normally performed by Conservation Solutions ("Conservation Services"), that the encompassed work shall be performed by Conservation Solutions, and no other party.

The parties acknowledge the difficulty in calculating the damages incurred in the event of breach of this provision, and accordingly agree to the payment of liquidated damages in the event of a breach, in the amount of 130% of any and all wages paid by Contractor to its own employees for the performance of the Conservation Services, or in the event of the performance of the services by any third party, 80% of the amount paid to that third party, which the parties agree to be a reasonable estimate of damages incurred by Conservation Solutions in the event of a breach hereof, and which amount shall be paid immediately upon demand to Conservation Solutions, together with any and all costs and attorneys fees incurred by Conservation Solutions in the enforcement of this Section.



Res No. 12

July 9, 2012

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

On July 9th the City Comptroller's Office held a public auction for 522 Mohawk Street. The result of the auction is as follows:

Parcel Number	Address	Bid Amount	Bidder Name
01-16-412.000	522 Mohawk Street	\$ 2,900	Fred Cumoletti

Fred Cumoletti owns the abutting properties at 516 Mohawk Street and 882 Main Street West. The high bidder is current with property taxes and has no outstanding issues with Code Enforcement. The required 10% bid deposit has been received. A resolution authorizing the sale has been prepared for City Council consideration.

RESOLUTION

Page 1 of 2

Authorizing Sale of Real Property,
 Known as 522 Mohawk Street to
 Fred Cumoletti, 5759 Sunset Terrace,
 Cicero, New York 13039

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

YEA	NAY

Introduced by

WHEREAS there has heretofore been bid in by the City of Watertown at a tax sale a certain lot of land known as 522 Mohawk Street, approximately 40' x 123' 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. 01-16-412.000, and

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

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

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

NOW THEREFORE BE IT RESOLVED that pursuant to Section 23, Subdivision (b) of the General City Law, Section 247 of the Charter of the City of Watertown as amended by Local Law No. 1, 1985, adopted December 3, 1984, effective January 17, 1985, and the ordinance, Municipal Code, Chapter 16 adopted by the Council on June 6, 1977, that the offer of \$2,900.00 submitted by Fred Cumoletti for the purchase of Parcel No. 01-16-412.000, 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 522 Mohawk Street to
Fred Cumoletti, 5759 Sunset Terrace,
Cicero, New York 13039

Council Member BURNS, Roxanne M.

Council Member BUTLER, Joseph M. Jr.

Council Member MACALUSO, Teresa R.

Council Member SMITH, Jeffrey M.

Mayor GRAHAM, Jeffrey E.

Total

YEA	NAY

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

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

Seconded by

Res No. 13

July 10, 2012

To: The Honorable Mayor and City Council

From: James E. Mills, City Comptroller

Subject: Actuarial services

Governmental Accounting Standards Board (GASB) Statement No. 45 “Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions” (OPEB) establishes the standards for measurement, recognition, and display of OPEB expenditures and related liabilities as well as note disclosures in the financial reports of the City. For financial reporting purposes, an actuarial valuation is required at least biennially for OPEB plans with 200 or more members such as the City’s. Accordingly, the City Comptroller’s office sent out Requests for Proposals for actuarial services for the fiscal years ending June 30, 2013 through June 30, 2016. A total of seven proposals were sent to actuarial firms with three of them submitting proposals. A summary of the three proposals received is as follows.

	FY 2012-13	FY 2013-14	FY 2014-15	FY 2015-16	TOTAL
Armory Associates, LLC	\$6,500	\$1,300	\$6,800	\$1,500	\$16,100
Burke Group Inc.	\$7,000	\$2,000	\$7,000	\$2,000	\$18,000
USI Consulting Group	\$8,900	\$3,900	\$8,900	\$3,900	\$25,600

Based upon the experience, qualifications and fees proposed, staff is recommending Armory Associates, LLC be selected to provide the necessary actuarial services to comply with GASB Statement No. 45 for the fiscal years ending June 30, 2013 through June 30, 2016.

RESOLUTION

Page 1 of 1

Accepting Proposal of Armory Associates, LLC
For Actuarial Services

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 it is the responsibility of local municipalities to comply with Government Accounting Standards Board (GASB) and

WHEREAS the Government Accounting Standards Board has issued Statement No. 45 “Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions” (OPEB) which requires the City to obtain an actuarial analysis biennially of the City’s post employment health benefits and

WHEREAS the City has solicited proposals for the services of qualified health benefit actuaries to comply with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45 for the fiscal years ending 2012-13 through 2015-16, and

WHEREAS a proposal has been received from Armory Associates, LLC to provide to the City an actuarial analysis of the City’s post employment health benefits in accordance with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45, and

NOW THEREFORE BE IT RESOLVED that the City Manager is hereby authorized and directed to execute the Agreement with Armory Associates, LLC for the purpose of providing to the City an actuarial analysis of the City’s post employment health benefits in accordance with the requirements of Governmental Accounting Standards Board (GASB) Statement No. 45, in the amount of \$6,500 for Fiscal Year 2012-13, \$1,300 for Fiscal Year 2013-14, and \$6,800 for Fiscal Year 2014-15 and \$1,500 for Fiscal Year 2015-16.

Seconded by

July 11, 2012

To: The Honorable Mayor and City Council

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

Subject: Appointment to Watertown Local Development Corporation Board

In the past, the practice has been to name the City Manager as the City's representative to the Board of the Watertown Local Development Corporation. If City Council desires, staff will prepare a resolution for the August 6, 2012 City Council Meeting.

ROBERT J. SLYE
JAMES A. BURROWS
CHRISTINA E. STONE

SLYE & BURROWS
ATTORNEYS AT LAW
104 WASHINGTON STREET
WATERTOWN, NEW YORK 13601

(315) 786-0266
FAX: (315) 786-3488

July 5, 2012

Elliott Nelson, Assistant
to City Manager
City of Watertown
245 Washington Street
Watertown, New York 13601



Re: Waiver of Fees for City Facilities

Dear Mr. Nelson:

The City Council asked for a summary outlining the process that should be followed in instances where the City Council is willing to waive certain charges and/or fees associated with the use of various City facilities. Briefly, City Code Section A320-1(B) provides that:

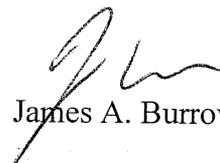
Fees for activities delineated in [City Code Chapter A320] may be waived by resolution of the City Council of the City of Watertown upon the application of any individual, group or organization showing that such waiver will promote a valid public or municipal purpose.

Please share this information with the City Council at your earliest convenience. Feel free to contact me directly with any additional questions that may arise.

Very truly yours,

SLYE & BURROWS

By:


James A. Burrows

JAB/mp

July 11, 2012

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Property Offers – 111 Orchard Street South

The City has received the attached letters stating an interest to purchase 111 Orchard Street South from the City. The property was acquired by the City in June 2011 as a result of the City's tax enforcement process. The house located on the parcel was demolished.

As City Council has been briefed previously, there is a sewer line that runs through this parcel that needs to be relocated. As such work has not yet been undertaken, I recommend that the scheduling of a property auction or private sale of this parcel be postponed until the City has completed the sewer line work and established a permanent easement across the parcel.

**WISNER, SAUNDERS & LIVINGSTON
ATTORNEYS AT LAW
1040 Bradley Street
Watertown, New York 13601**

**Telephone (315) 782-3201
Telefax (315) 788-1157**

H. CHARLES LIVINGSTON, JR.

**K. ROBERT WISNER
1925-1990**

July 11, 2012

Hon. Jeffrey Graham
Mayor, City of Watertown
245 Washington Street
Watertown NY 13601

**Re: 111 S. Orchard Street
(Previously misidentified as 111 Meadow Street)
Purchase Offer**

Dear Mr. Graham:

I resubmit this letter as a correction to my previous correspondence of July 9, 2012 to properly identify the property of interest as 111 S. Orchard Street, City of Watertown.

I write on behalf of George and Maria Ronson in connection with City owned property at 111 S. Orchard Street. George and Maria own the adjoining property at 341-345 Arsenal Street. The City recently removed the house at 111 S. Orchard Street and is in process of clearing up the remainder of the lot.

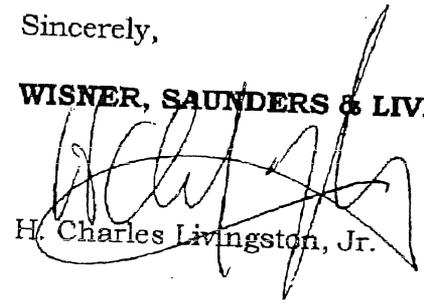
The Ronsons would like to express their interest in purchasing this parcel on whatever terms or procedure the City desires. They are willing to close immediately, take possession of the premises "as is", warrant completion of lot clean up, grading and seeding within thirty days of closing and maintain the property in full compliance with applicable City code as has been demonstrated with their ownership of adjoining properties.

If in fact this lot is or will be offered for sale, they would respectfully ask they be given an opportunity to submit an offer on such terms as City may desire.

Thank you for your time and consideration.

Sincerely,

WISNER, SAUNDERS & LIVINGSTON



H. Charles Livingston, Jr.

HCLJr/rtw

cc: Watertown City Council
Sharon A. Addison, City Manager

CLIFFORD K. PICKETT SR.

225 Mechanic Street
Watertown, NY 13601
Cell: 315-771-6994

March 25, 2012

James Mills,
City Comptroller
City Hall
245 Washington St.
Suite 203
Watertown, NY 13601
Ph: (315) 785-7754
Fx: (315) 785-7826

Dear Friend,

I am extremely eager in purchasing a vacant city owned lot located at 111 South Orchard St. tax map ID is 10-03-112.000 for an offer of \$1000.00 as I am currently in the process of trying to purchase 115 South Orchard St. as my main home with my fiancée.

I appreciate your time & consideration on this matter. Please do not hesitate in contacting me with any questions or concerns.

I look forward to hearing from you in the near future.

Sincerely,
Clifford K. Pickett Sr.

Signature



July 11, 2012

To: The Honorable Mayor and City Council
From: James E. Mills, City Comptroller
Subject: Bike Auction Results

On July 10th the City held an auction of bicycles and miscellaneous items at the Public Safety Building garage. The results of the auction as well as last year's auction are as follows:

	2012	2011
Number of bicycles	51	60
Bicycle Sales	\$ 165	\$ 265
Number of Miscellaneous Items	13	18
Miscellaneous Item Sales	\$38	\$357
Total Sales	\$203	\$612
Number of Auction Participants	9	19
Direct cost of auction excluding staff overtime (one advertisement in Watertown Daily Times)	\$144	\$144

All bicycles and most miscellaneous items included in the auction were sold.

July 3, 2012

Dear Watertown City Counsel,
cc: Sackets Harbor Village Board



*Council
City Manag*

I am writing to ask the Watertown City Counsel to reverse their decision of April 5, 2010 to accept hydraulic fracturing wastewater into the Watertown Sewage Treatment plant. I have spoken with Michel Sliger and I understand that due to the moratorium on hydraulic fracturing in the state of New York, Watertown is not currently accepting this toxic soup, but if, and as soon as, the ban is lifted, Watertown will be accepting the highly caustic wastewater from the drilling in other places. Why is Watertown one of the very few facilities that will accept the fluids in the entire state?

Accepting fracking waste fluids into the Watertown sewage treatment plant is a bad idea on many levels. The Black River feeds into Lake Ontario, one of the best sources of fresh water in the world. On a small planet where the population is quickly heading toward 9 billion people, water is becoming a valuable commodity. Already, there have been requests from the Western states of the US to buy water from the Great Lakes to truck down to their parched states. If you've visited the Hoover damn, which provides power for about 5 different states, you would see that Lake Mead is very, very low and there is a huge concern that the need for water in these states will become an urgent matter in the not so distant future. It is not a good idea to add radioactive wastewater to the water we have. We are already in the depressing position of not being able to eat the fish in our lake because of the high levels of mercury due to the polluting that has gone on in years past. Let's not make more mistakes with polluting our water and our community with the toxins and radioactive materials resulting from hydraulic fracturing. We have our own pollutants to deal with and water is much too valuable to experiment with.

As a pediatric nurse practitioner, I see a great many chronic illnesses and ailments that were rare when I was a kid growing up in the 1970s and 1980s. We often can't explain the high levels of autism, asthma, ADHD, allergies, undescended testicles, behavior problems, depression, lupus, precocious puberty, cancer, etc. We think it's a combination of susceptible genetics and environmental exposures. We do not know exactly which of the environmental exposures are causing the biggest problems or whether it is a combination of all of them. As a community and culture, we should be doing everything we possibly can to eliminate exposures in our environment, not add to the problems in our environment by accepting hydraulic fracturing wastewater.

Other sewage treatment plants have had a very difficult time dealing with the wastewater from "fracking." Sewage treatment plants use their known procedures for dealing with an unknown element. A well can produce over a million gallons of wastewater that is laced with highly corrosive salts, carcinogens like benzene and

radioactive elements like radium. How will radioactivity of the water be tested for in Watertown? Are Brownville, Dexter, and Sackets Harbor on board with accepting millions of gallons of hydrofracking fluid? Do all of the connecting communities have the ability to test for radioactivity? This is not just a question for the City of Watertown, but for the surrounding communities as well. How does the Town of Rodman feel about accepting the toxic solutes that can't be incinerated into the landfill?

Please read the article I have enclosed. It is well written and researched. We are in the calm before the storm. You have the luxury of taking the time to reverse a decision that may be very damaging to the citizens of the North Country. It is my hope that the City Council will reverse this decision to accept hydraulic fracturing waste fluids.

Sincerely,

A handwritten signature in cursive script that reads "Anne Nans".

Anne Nans
Sackets Harbor, NY
(315) 286-0127



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February 26, 2011

Regulation Lax as Gas Wells' Tainted Water Hits Rivers

By IAN URBINA

The American landscape is dotted with hundreds of thousands of new wells and drilling rigs, as the country scrambles to tap into this century's gold rush — for natural gas.

The gas has always been there, of course, trapped deep underground in countless tiny bubbles, like frozen spills of seltzer water between thin layers of shale rock. But drilling companies have only in recent years developed techniques to unlock the enormous reserves, thought to be enough to supply the country with gas for heating buildings, generating electricity and powering vehicles for up to a hundred years.

So energy companies are clamoring to drill. And they are getting rare support from their usual sparring partners. Environmentalists say using natural gas will help slow climate change because it burns more cleanly than coal and oil. Lawmakers hail the gas as a source of jobs. They also see it as a way to wean the United States from its dependency on other countries for oil.

But the relatively new drilling method — known as high-volume horizontal hydraulic fracturing, or hydrofracking — carries significant environmental risks. It involves injecting huge amounts of water, mixed with sand and chemicals, at high pressures to break up rock formations and release the gas.

With hydrofracking, a well can produce over a million gallons of wastewater that is often laced with highly corrosive salts, carcinogens like benzene and radioactive elements like radium, all of which can occur naturally thousands of feet underground. Other carcinogenic materials can be added to the wastewater by the chemicals used in the hydrofracking itself.

While the existence of the toxic wastes has been reported, thousands of internal documents obtained by The New York Times from the Environmental Protection Agency, state regulators and drillers show that the dangers to the environment and health are greater

than previously understood.

The documents reveal that the wastewater, which is sometimes hauled to sewage plants not designed to treat it and then discharged into rivers that supply drinking water, contains radioactivity at levels higher than previously known, and far higher than the level that federal regulators say is safe for these treatment plants to handle.

Other documents and interviews show that many E.P.A. scientists are alarmed, warning that the drilling waste is a threat to drinking water in Pennsylvania. Their concern is based partly on a 2009 study, never made public, written by an E.P.A. consultant who concluded that some sewage treatment plants were incapable of removing certain drilling waste contaminants and were probably violating the law.

The Times also found never-reported studies by the E.P.A. and a confidential study by the drilling industry that all concluded that radioactivity in drilling waste cannot be fully diluted in rivers and other waterways.

But the E.P.A. has not intervened. In fact, federal and state regulators are allowing most sewage treatment plants that accept drilling waste not to test for radioactivity. And most drinking-water intake plants downstream from those sewage treatment plants in Pennsylvania, with the blessing of regulators, have not tested for radioactivity since before 2006, even though the drilling boom began in 2008.

In other words, there is no way of guaranteeing that the drinking water taken in by all these plants is safe.

That has experts worried.

“We’re burning the furniture to heat the house,” said John H. Quigley, who left last month as secretary of Pennsylvania’s Department of Conservation and Natural Resources. “In shifting away from coal and toward natural gas, we’re trying for cleaner air, but we’re producing massive amounts of toxic wastewater with salts and naturally occurring radioactive materials, and it’s not clear we have a plan for properly handling this waste.”

The risks are particularly severe in Pennsylvania, which has seen a sharp increase in drilling, with roughly 71,000 active gas wells, up from about 36,000 in 2000. The level of radioactivity in the wastewater has sometimes been hundreds or even thousands of times the maximum allowed by the federal standard for drinking water. While people clearly do not drink drilling wastewater, the reason to use the drinking-water standard for comparison

is that there is no comprehensive federal standard for what constitutes safe levels of radioactivity in drilling wastewater.

Drillers trucked at least half of this waste to public sewage treatment plants in Pennsylvania in 2008 and 2009, according to state officials. Some of it has been sent to other states, including New York and West Virginia.

Yet sewage treatment plant operators say they are far less capable of removing radioactive contaminants than most other toxic substances. Indeed, most of these facilities cannot remove enough of the radioactive material to meet federal drinking-water standards before discharging the wastewater into rivers, sometimes just miles upstream from drinking-water intake plants.

In Pennsylvania, these treatment plants discharged waste into some of the state's major river basins. Greater amounts of the wastewater went to the Monongahela River, which provides drinking water to more than 800,000 people in the western part of the state, including Pittsburgh, and to the Susquehanna River, which feeds into Chesapeake Bay and provides drinking water to more than six million people, including some in Harrisburg and Baltimore.

Lower amounts have been discharged into the Delaware River, which provides drinking water for more than 15 million people in Philadelphia and eastern Pennsylvania.

In New York, the wastewater was sent to at least one plant that discharges into Southern Cayuga Lake, near Ithaca, and another that discharges into Owasco Outlet, near Auburn. In West Virginia, a plant in Wheeling discharged gas-drilling wastewater into the Ohio River.

"Hydrofracking impacts associated with health problems as well as widespread air and water contamination have been reported in at least a dozen states," said Walter Hang, president of Toxics Targeting, a business in Ithaca, N.Y., that compiles data on gas drilling.

Problems in Other Regions

While Pennsylvania is an extreme case, the risks posed by hydrofracking extend across the country.

There were more than 493,000 active natural-gas wells in the United States in 2009, almost double the number in 1990. Around 90 percent have used hydrofracking to get more gas flowing, according to the drilling industry.

Gas has seeped into underground drinking-water supplies in at least five states, including Colorado, Ohio, Pennsylvania, Texas and West Virginia, and residents blamed natural-gas drilling.

Air pollution caused by natural-gas drilling is a growing threat, too. Wyoming, for example, failed in 2009 to meet federal standards for air quality for the first time in its history partly because of the fumes containing benzene and toluene from roughly 27,000 wells, the vast majority drilled in the past five years.

In a sparsely populated Sublette County in Wyoming, which has some of the highest concentrations of wells, vapors reacting to sunlight have contributed to levels of ozone higher than those recorded in Houston and Los Angeles.

Industry officials say any dangerous waste from the wells is handled in compliance with state and federal laws, adding that drilling companies are recycling more wastewater now. They also say that hydrofracking is well regulated by the states and that it has been used safely for decades.

But hydrofracking technology has become more powerful and more widely used in recent years, producing far more wastewater. Some of the problems with this drilling, including its environmental impact and the challenge of disposing of waste, have been documented by ProPublica, The Associated Press and other news organizations, especially out West.

And recent incidents underscore the dangers. In late 2008, drilling and coal-mine waste released during a drought so overwhelmed the Monongahela that local officials advised people in the Pittsburgh area to drink bottled water. E.P.A. officials described the incident in an internal memorandum as "one of the largest failures in U.S. history to supply clean drinking water to the public."

In Texas, which now has about 93,000 natural-gas wells, up from around 58,000 a dozen years ago, a hospital system in six counties with some of the heaviest drilling said in 2010 that it found a 25 percent asthma rate for young children, more than three times the state rate of about 7 percent.

"It's ruining us," said Kelly Gant, whose 14-year-old daughter and 11-year-old son have experienced severe asthma attacks, dizzy spells and headaches since a compressor station and a gas well were set up about two years ago near her house in Bartonville, Tex. The industry and state regulators have said it is not clear what role the gas industry has played in causing such problems, since the area has had high air pollution for a while.

"I'm not an activist, an alarmist, a Democrat, environmentalist or anything like that," Ms. Gant said. "I'm just a person who isn't able to manage the health of my family because of all this drilling."

And yet, for all its problems, natural gas offers some clear environmental advantages over coal, which is used more than any other fuel to generate electricity in the United States. Coal-fired power plants without updated equipment to capture pollutants are a major source of radioactive pollution. Coal mines annually produce millions of tons of toxic waste.

But the hazards associated with natural-gas production and drilling are far less understood than those associated with other fossil fuels, and the regulations have not kept pace with the natural-gas industry's expansion.

Pennsylvania, Ground Zero

Pennsylvania, which sits atop an enormous reserve called the Marcellus Shale, has been called the Saudi Arabia of natural gas.

This rock formation, roughly the size of Greece, lies more than a mile beneath the Appalachian landscape, from Virginia to the southern half of New York. It is believed to hold enough gas to supply the country's energy needs for heat and electricity, at current consumption rates, for more than 15 years.

Drilling companies were issued roughly 3,300 Marcellus gas-well permits in Pennsylvania last year, up from just 117 in 2007.

This has brought thousands of jobs, five-figure windfalls for residents who lease their land to the drillers and revenue for a state that has struggled with budget deficits. It has also transformed the landscape of southwestern Pennsylvania and brought heavy burdens.

Drilling derricks tower over barns, lining rural roads like feed silos. Drilling sites bustle around the clock with workers, some in yellow hazardous material suits, and 18-wheelers haul equipment, water and waste along back roads.

The rigs announce their presence with the occasional boom and quiver of underground explosions. Smelling like raw sewage mixed with gasoline, drilling-waste pits, some as large as a football field, sit close to homes.

Anywhere from 10 percent to 40 percent of the water sent down the well during hydrofracking returns to the surface, carrying drilling chemicals, very high levels of salts

and, at times, naturally occurring radioactive material.

While most states require drillers to dispose of this water in underground storage wells below impermeable rock layers, Pennsylvania has few such wells. It is the only state that has allowed drillers to discharge much of their waste through sewage treatment plants into rivers.

Regulators have theorized that passing drilling waste through the plants is safe because most toxic material will settle during the treatment process into a sludge that can be trucked to a landfill, and whatever toxic material remains in the wastewater will be diluted when mixed into rivers. But some plants were taking such large amounts of waste with high salt levels in 2008 that downstream utilities started complaining that the river water was eating away at their machines.

Regulators and drilling companies have said that these cases, and others, were isolated.

“The wastewater treatment plants are effective at what they’re designed to do — remove material from wastewater,” said Jamie Legenos, a spokeswoman for the Pennsylvania Department of Environmental Protection, adding that the radioactive material and the salts were being properly handled.

Overwhelmed, Underprepared

For proof that radioactive elements in drilling waste are not a concern, industry spokesmen and regulators often point to the results of wastewater tests from a 2009 draft report conducted by New York State and a 1995 report by Pennsylvania that found that radioactivity in drilling waste was not a threat. These two reports were based on samples from roughly 13 gas wells in New York and 29 in Pennsylvania.

But a review by The Times of more than 30,000 pages of federal, state and company records relating to more than 200 gas wells in Pennsylvania, 40 in West Virginia and 20 public and private wastewater treatment plants offers a fuller picture of the wastewater such wells produce and the threat it poses.

Most of the information was drawn from drilling reports from the last three years, obtained by visiting regional offices throughout Pennsylvania, and from documents or databases provided by state and federal regulators in response to records requests.

Among The Times’s findings:

¶More than 1.3 billion gallons of wastewater was produced by Pennsylvania wells over the past three years, far more than has been previously disclosed. Most of this water — enough to cover Manhattan in three inches — was sent to treatment plants not equipped to remove many of the toxic materials in drilling waste.

¶At least 12 sewage treatment plants in three states accepted gas industry wastewater and discharged waste that was only partly treated into rivers, lakes and streams.

¶Of more than 179 wells producing wastewater with high levels of radiation, at least 116 reported levels of radium or other radioactive materials 100 times as high as the levels set by federal drinking-water standards. At least 15 wells produced wastewater carrying more than 1,000 times the amount of radioactive elements considered acceptable.

Results came from field surveys conducted by state and federal regulators, year-end reports filed by drilling companies and state-ordered tests of some public treatment plants. Most of the tests measured drilling wastewater for radium or for “gross alpha” radiation, which typically comes from radium, uranium and other elements.

Industry officials say they are not concerned.

“These low levels of radioactivity pose no threat to the public or worker safety and are more a public perception issue than a real health threat,” said James E. Grey, chief operating officer of Triana Energy.

In interviews, industry trade groups like the Marcellus Shale Coalition and Energy in Depth, as well as representatives from energy companies like Shell and Chesapeake Energy, said they were producing far less wastewater because they were recycling much of it rather than disposing of it after each job.

But even with recycling, the amount of wastewater produced in Pennsylvania is expected to increase because, according to industry projections, more than 50,000 new wells are likely to be drilled over the next two decades.

The radioactivity in the wastewater is not necessarily dangerous to people who are near it. It can be blocked by thin barriers, including skin, so exposure is generally harmless.

Rather, E.P.A. and industry researchers say, the bigger danger of radioactive wastewater is its potential to contaminate drinking water or enter the food chain through fish or farming. Once radium enters a person’s body, by eating, drinking or breathing, it can cause cancer

and other health problems, many federal studies show.

Little Testing for Radioactivity

Under federal law, testing for radioactivity in drinking water is required only at drinking-water plants. But federal and state regulators have given nearly all drinking-water intake facilities in Pennsylvania permission to test only once every six or nine years.

The Times reviewed data from more than 65 intake plants downstream from some of the busiest drilling regions in the state. Not one has tested for radioactivity since 2008, and most have not tested since at least 2005, before most of the drilling waste was being produced.

And in 2009 and 2010, public sewage treatment plants directly upstream from some of these drinking-water intake facilities accepted wastewater that contained radioactivity levels as high as 2,122 times the drinking-water standard. But most sewage plants are not required to monitor for radioactive elements in the water they discharge. So there is virtually no data on such contaminants as water leaves these plants. Regulators and gas producers have repeatedly said that the waste is not a threat because it is so diluted in rivers or by treatment plants. But industry and federal research cast doubt on those statements.

A confidential industry study from 1990, conducted for the American Petroleum Institute, concluded that “using conservative assumptions,” radium in drilling wastewater dumped off the Louisiana coast posed “potentially significant risks” of cancer for people who eat fish from those waters regularly.

The industry study focused on drilling industry wastewater being dumped into the Gulf of Mexico, where it would be far more diluted than in rivers. It also used estimates of radium levels far below those found in Pennsylvania’s drilling waste, according to the study’s lead author, Anne F. Meinhold, an environmental risk expert now at NASA.

Other federal, state and academic studies have also found dilution problems with radioactive drilling waste.

In December 2009, these very risks led E.P.A. scientists to advise in a letter to New York that sewage treatment plants not accept drilling waste with radium levels 12 or more times as high as the drinking-water standard. The Times found wastewater containing radium levels that were hundreds of times this standard. The scientists also said that the plants should never discharge radioactive contaminants at levels higher than the drinking-water

standard.

In 2009, E.P.A. scientists studied the matter and also determined that certain Pennsylvania rivers were ineffective at sufficiently diluting the radium-laced drilling wastewater being discharged into them.

Asked about the studies, Pennsylvania regulators said they were not aware of them.

“Concerned? I’m always concerned,” said Dave Allard, director of the Bureau of Radiation Protection. But he added that the threat of this waste is reduced because “the dilutions are so huge going through those treatment plants.”

Three months after The Times began asking questions about radioactive and other toxic material being discharged into specific rivers, state regulators placed monitors for radioactivity near where drilling waste is discharged. Data will not be available until next month, state officials said.

But the monitor in the Monongahela is placed upstream from the two public sewage treatment plants that the state says are still discharging large amounts of drilling waste into the river, leaving the discharges from these plants unchecked and Pittsburgh exposed.

Plant Operators in the Dark

In interviews, five treatment plant operators said they did not believe that the drilling wastewater posed risks to the public. Several also said they were not sure of the waste’s contents because the limited information drillers provide usually goes to state officials.

“We count on state regulators to make sure that that’s properly done,” said Paul McCurdy, environmental specialist at Ridgway Borough’s public sewage treatment plant, in Elk County, Pa., in the northwest part of the state.

Mr. McCurdy, whose plant discharges into the Clarion River, which flows into the Ohio and Mississippi Rivers, said his plant was taking about 20,000 gallons of drilling waste per day.

Like most of the sewage treatment plant operators interviewed, Mr. McCurdy said his plant was not equipped to remove radioactive material and was not required to test for it.

Documents filed by drillers with the state, though, show that in 2009 his facility was sent water from wells whose wastewater was laced with radium at 275 times the drinking-water standard and with other types of radiation at more than 780 times the standard.

Part of the problem is that industry has outpaced regulators. "We simply can't keep up," said one inspector with the Pennsylvania Department of Environmental Protection who was not authorized to speak to reporters. "There's just too much of the waste."

"If we're too hard on them," the inspector added, "the companies might just stop reporting their mistakes."

Recently, Pennsylvania has tried to increase its oversight, doubling the number of regulators, improving well-design requirements and sharply decreasing how much drilling waste many treatment plants can accept or release. The state is considering whether to require treatment plants to begin monitoring for radioactivity in wastewater.

Even so, as of last November, 31 inspectors were keeping tabs on more than 125,000 oil and gas wells. The new regulations also allowed at least 18 plants to continue accepting the higher amounts set by their original permits.

Furthermore, environmental researchers from the University of Pittsburgh tested wastewater late last year that had been discharged by two treatment plants. They say these tests will show, when the results are publicly released in March, that salt levels were far above the legal limit.

Lax Oversight

Drilling contamination is entering the environment in Pennsylvania through spills, too. In the past three years, at least 16 wells whose records showed high levels of radioactivity in their wastewater also reported spills, leaks or failures of pits where hydrofracking fluid or waste is stored, according to state records.

Gas producers are generally left to police themselves when it comes to spills. In Pennsylvania, regulators do not perform unannounced inspections to check for signs of spills. Gas producers report their own spills, write their own spill response plans and lead their own cleanup efforts.

A review of response plans for drilling projects at four Pennsylvania sites where there have been accidents in the past year found that these state-approved plans often appear to be in violation of the law.

At one well site where several spills occurred within a week, including one that flowed into a creek, the well's operator filed a revised spill plan saying there was little chance that waste

would ever enter a waterway.

“There are business pressures” on companies to “cut corners,” John Hanger, who stepped down as secretary of the Pennsylvania Department of Environmental Protection in January, has said. “It’s cheaper to dump wastewater than to treat it.”

Records back up that assertion.

From October 2008 through October 2010, regulators were more than twice as likely to issue a written warning than to levy a fine for environmental and safety violations, according to state data. During this period, 15 companies were fined for drilling-related violations in 2008 and 2009, and the companies paid an average of about \$44,000 each year, according to state data.

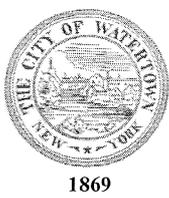
This average was less than half of what some of the companies earned in profits in a day and a tiny fraction of the more than \$2 million that some of them paid annually to haul and treat the waste.

And prospects for drillers in Pennsylvania are looking brighter.

In December, the Republican governor-elect, Tom Corbett, who during his campaign took more gas industry contributions than all his competitors combined, said he would reopen state land to new drilling, reversing a decision made by his predecessor, Edward G. Rendell. The change clears the way for as many as 10,000 wells on public land, up from about 25 active wells today.

In arguing against a proposed gas-extraction tax on the industry, Mr. Corbett said regulation of the industry had been too aggressive.

“I will direct the Department of Environmental Protection to serve as a partner with Pennsylvania businesses, communities and local governments,” Mr. Corbett says on his Web site. “It should return to its core mission protecting the environment based on sound science.”



CITY OF WATERTOWN
ENGINEERING DEPARTMENT
MEMORANDUM

DATE: July 11, 2012

TO: Sharon Addison, City Manager

FROM: Kurt W. Hauk, City Engineer

SUBJECT: Zoo Board Discussion of the Karl R. Burns Learning Center

Members of the Zoo Board and the Zoo Director have expressed the desire to discuss the project with the Council.

The bids for the project will be received on July 11, 2012 and the qualified bid will be placed before Council at the August 6 Council Meeting for acceptance.

Due to that timing, the best opportunity for discussions to take place would be at the July 16 Council Meeting.

Please place a discussion item on the agenda for the Zoo Director and members of the board to discuss the project with Council.

cc: Justin Wood, CE-II
File

Karl R. Burns Learning Center Sealed Bid Tabulation

	Bette & Cring, LLC	Continental Construction	Empire Northeast, Inc.	Hyde-Stone Mechanical	Norsworthy	S&L Electric, Inc.
General Construction						
Base Bid	\$669,000.00	\$705,339.00				
Bid Item No. 1. Unforeseen Conditions Allowance	\$7,500.00	\$7,500.00				
Bid Item No. 2. Rock Excavation Allowance	\$5,000.00	\$14,140.00				
Bid Item No. 3. Miscellaneous Metal Allowance	\$1,250.00	\$1,414.00				
Bid Item No. 4. Rock Excavation 15 cy	\$2,250.00	\$4,434.00				
Bid Item No. 5. Asphalt Pavement (Type 6 Top)	\$1,000.00	\$769.00				
Bid Item No. 6. Asphalt Pavement (Type 3 Binder)	\$1,500.00	\$1,753.00				
Bid Item No. 7. Asphalt Sidewalk (Type 7 Top)	\$5,100.00	\$5,385.00				
Bid Item No. 8. Pavement and Sidewalk Sub Base	\$6,020.00	\$3,959.00				
Bid Item No. 9. 1-1/2" HDPE Service Lateral	\$5,250.00	\$1,677.00				
Bid Item No. 10. 1-1/2" Curb stop 1 ea	\$400.00	\$281.00				
Bid Item No. 11. 1-1/2" Corporation Stop 1 ea	\$1,750.00	\$2,014.00				
Bid Item No.12. 4" PVC Sewer Service Lateral	\$3,000.00	\$1,041.00				
Bid Item No.13. 4" Sanitary Cleanout 1 ea	\$300.00	\$301.00				
Bid Item No.14. 4" Sanitary Wye 1 ea	\$150.00	\$115.00				
Bid Item No. 15. 1-1/2" Gas Line 375 lf	\$12,000.00	\$8,374.00				
Bid Item No. 16. Site Restoration	\$1,000.00	\$2,523.00				
Total Base Bid and Bid Items	\$722,470.00	\$761,019.00				
Alternate No. 1	-\$300.00	\$13,958.00				
Alternate No. 2	\$11,000.00	\$13,017.00				
Alternate No. 3	\$17,400.00	\$20,135.00				
Total Base Bid and Bid Items plus Alternatives	\$750,570.00	\$808,129.00				

MECHANICAL/PLUMBING						
Base Bid			\$138,900.00	\$128,526.00		
Bid Item No. 1 – Unforeseen Conditions Allowance			\$5,000.00	\$5,000.00		
Total Base Bid			\$143,900.00	\$133,526.00		

Electrical						
Base Bid					\$58,366.00	\$81,990.00
Bid Item No. 1 – Unforeseen Conditions Allowance					\$5,000.00	\$5,000.00
Total Base Bid					\$63,366.00	\$86,990.00
Alternative #3					\$3,953.00	\$5,800.00
Total Bid Plus Alternative 3					\$67,319.00	\$92,790.00