
MEMORANDUM

TO: Watertown City Council
Eric Wagenaar, City Manager

FROM: Kristen E. Smith, Esq.
City Attorney

DATE: August 13, 2025

RE: Legal Services Related to NYSP Investigation

In response to questions regarding legal invoices related to the City Attorney's involvement with the NY State Police Investigation, I am providing this summary for the City Council. For months not listed, there was no activity by our firm related to the investigation.

On days when the legal invoices used "block billing" (i.e. combining multiple tasks into one block of time), I have used my best recollection to recall which portion of the time block was related to the investigation, and noted accordingly.

October 2023 (Invoice # 19992626)

10/4/2023	TNM ¹	2.0	Researched and examined NY case and statutory law regarding potential criminal and civil actions against PJ Simao in light of recent correspondence to Council members; Conferred with K. Smith regarding the same.
10/5/2023	KES	2.75	Reviewed and analyzed Simao emails; drafted e-mail to City Councilors and City Manager regarding analysis of Simao emails under NYS Penal Law; conferred via telephone with Mayor Smith regarding emails and regarding public posting of emails; exchanged emails with K. Mix regarding posting of emails.
10/5/2023	TNM	1.0	Continued research and examination of General Municipal Law regarding gifts to council members; conferred with K. Smith regarding the same
	Total:	5.75	\$1,581.25

¹ TNM indicates Tim McMahon. KES indicates Kristen Smith.

December 2023 (Invoice # 20004074)

12/1/2023	KES	0.75	Conferred via telephone with attorney T. Bullard regarding inquiry from state investigator; conferred via telephone with City Manager Mix and Mayor Smith regarding same; Reviewed e-mail forwarded from Mayor Smith regarding referral to state authorities.
12/3/2023	KES	0.25	Reviewed emails related to Mayor Smith's referral to state agencies.
12/11/2023	KES	0.25 (of 6.75)	Conferred via telephone with NYS Investigator regarding investigation stemming from Mayor Smith complaints to the NYS Attorney General
12/12/2023	KES	0.5	Reviewed and responded to e-mail from D. Wurzburg and K. Mix regarding state investigation document request; emailed Mayor Smith regarding same; Reviewed e-mail from Attorney Bullard regarding state investigation
12/21/2023	KES	1.0	Met with NYS police investigator regarding Mayor's complaint
	Total:	2.75	\$756.25

January 2024 (Invoice # 20007732)

1/9/2024	KES	0.5 (of 1.25)	Conferred via telephone with E. Wagenaar regarding state investigation; conferred again with E. Wagenaar and Mayor Pierce regarding investigation
1/24/2024	KES	3.0 (of 3.25)	Participated in meeting with state investigator and former Mayor Smith
1/26/2024	KES	2.75	Met with Mayor Pierce and NYS Investigator regarding Smith complaint
1/29/2024	KES	2.5 (of 2.75)	Consulted with Attorney Fellows and Galbato regarding investigatory issues; researched law regarding privilege waiver; emailed Harris Beach; emailed [E.] Wagenaar
1/30/2024	KES	0.75	Further researched issue of privilege waiver; exchanged emails with Harris Beach counsel regarding [Bullard's] involvement in investigation.
	Total:	9.5	\$2,612.50

August 2024

There were no charges for legal services in August 2024, but my emails reflect that I received an email from the NYSP Investigator on August 20, 2024, where he asked for a call. We spoke briefly, but the time spent was insignificant, so the call is not reflected on the legal invoice for August.

January 2025 (Invoice # 20067025)

1/27/2025	KES	0.25 (of 0.5)	Reviewed email from Harris Beach counsel regarding investigation; drafted response to Harris Beach
1/31/2025	KES	2.0	Conferred with [Investigator] C. Kolozsvary regarding investigation
	Total:	2.25	\$618.75

February 2025

On February 3 and 6, 2025 I had two brief telephone conversations with Investigator Kolozsvary as a follow-up to the January 31, 2025 meeting.

There are no entries for these calls in the legal invoices submitted to the City, as it was likely too short a call to justify a legal fee (and because the call on February 3 occurred while I was already on "City time" driving to the Council meeting.)

April 2025

4/7/2025	KES	0.25 of 6.0	Conferred with NYSP Investigator regarding status of investigation
	Total:	0.25	\$68.75

Total amount billed related to NY State Police Investigation, including the initial research of the NY Penal Law bribery definition, is \$5,637.50.