

TOWN OF WATERTOWN  
SPECIAL MEETING  
MUNICIPAL BUILDING  
JULY 28, 2011

TOWN BOARD MEMBERS

JOEL R. BARTLETT, SUPERVISOR – STEPHEN L. RICH, COUNCILMAN  
PAUL V. DESORMO, COUNCILMAN – DAVID D. PROSSER, COUNCILMAN  
EDWARD R. SMITH, COUNCILMAN

Supervisor Bartlett led the Pledge of Allegiance and asked the clerk to call for a roll of members present. All members were present as was legal counsel Joseph W. Russell.

Supervisor Bartlett opened the floor to the public.

Mr. Dale Maitland, Brookside Drive, asked if there were any new developments on the purchase by the town for property owned by his family. Supervisor Bartlett responded that he hoped to get the appraisal back by the end of next week, at which time the issue would be addressed.

Mr. Wayne Blount, Swan Road, asked what the possibility of getting a water distribution system on the south end of the town. He also complained about the town charges to use the water system in the town, since the Town of Hounsfield does not charge. Supervisor Bartlett explained the reasons for the charges, it is not that the town is trying to make money on the system, but that it had to cover the costs associated with it.

Supervisor Bartlett closed the floor to the public.

Public Hearings:

Supervisor Bartlett opened the scheduled public hearing on the proposed Local Law No. 2 of the Year 2011. A local law to amend Chapter 107 of the Code of the Town of Watertown, Zoning.

No one chose to speak, therefore Supervisor Bartlett closed the public hearing at 7:13 PM.

Supervisor Bartlett opened the scheduled public hearing on proposed Local Law No. 3 of the Year 2011. A local law to repeal Chapter 87 of the Code of the Town of Watertown, Site Plan Review.

No one chose to speak, therefore Supervisor Bartlett closed the public hearing at 7:14 PM.

Supervisor Bartlett opened the scheduled public hearing on the proposed Local Law No. 4 of the Year 2011. A local law to amend Chapter 91 of the Code of the Town of Watertown, Subdivision.

No one chose to speak, therefore Supervisor Bartlett closed the public hearing at 7:15 PM.

Supervisor Bartlett opened the scheduled public hearing on proposed Local Law No. 5 of the Year 2011. A Local Law to amend Chapter 86 of the Code of the Town of Watertown, Signs.

No one chose to speak, therefore, Supervisor Bartlett closed the public hearing at 7:15 PM.

MOTION # 82

WHEREAS, Chapter 87 of the Code of the Town of Watertown, Site Plan Review, was adopted on September 14, 1989 to provide for site plan review within the Town of Watertown, and

WHEREAS, the Town Board has since amended Chapter 107 of the Code of the Town of Watertown, Zoning, to include within the Zoning Law site plan review criteria and procedures, and has determined that a separate site plan review law is duplicative and unnecessary, and

WHEREAS, Local Law No. 3 of the Year 2011, a local law to repeal Chapter 87 was introduced by a member of the town board at a meeting thereof held on July 14, 2011 and by a majority vote of the town board members present at such meeting, a public hearing was duly scheduled to consider Local Law No. 3 of 2011 for July 28, 2011 at 7:00PM, and

WHEREAS, notice of the public hearing was duly published and posted as required by law and on July 28, 2011 at 7:00 PM, a public hearing was duly held to hear all persons interested in the subject matter of Local Law No. 3 of 2011.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Watertown as follows:

1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. Based upon the foregoing, Local Law No. 3 of the Year 2011 is hereby adopted and the clerk is instructed to file the same with the New York State Department of State.
3. The adoption of Local Law No.3 of the Year 2011 is a Type II action under the provisions of the State Environmental Quality Review Act and the regulations promulgated thereunder.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded. Upon a roll call vote of the town board as follows, the resolution was duly adopted.

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Aye
Councilman Prosser	Aye
Councilman Smith	Aye

MOTION # 83

WHEREAS, at a regular meeting of this board held July 14, 2011, Local Law No. 4 of the Year 2011, Subdivision, was introduced and a Short Form SEQR was presented as provided for unlisted actions in 6 NYCRR Part 617.6 of the New York State Environmental Law.

WHEREAS, notice of the public hearing was duly published and posted as required by law and a copy of the proposed local law was provided to each member of the Town Board of the Town of Watertown at least ten (10) days prior to the date of the public hearing.

NOW THEREFORE BE IT RESOLVED, that no impact upon the environment was identified and no action or review is required.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 84

WHEREAS, on July 28, 2011 at 7:00 PM a public hearing was duly held at the Towns Offices, 22867 County Route 67, Watertown, NY, to hear all persons interested in Local Law No. 4 of the Year 2011.

NOW, THEREFORE BE IT RESOLVED by the Town Board of the Town of Watertown on this 28<sup>th</sup> day of July as follows:

1. Local Law No. 4 of the Year 2011 amends the Town of Watertown Subdivision Law to permit commercial development within the business district to have multiple parcels serviced by private roads.

2. Permitting multiple parcels within a commercial development in the Business District to have access by private roads rather than requiring each to front on a public road is consistent with the orderly and desired development of shopping/commercial plazas within the Business District and is, there fore, in the best interest of the Town of Watertown.
3. Based upon the foregoing, Local Law No. 4 of the Year 2011 is hereby approved and adopted and shall become part of the Town of Watertown Subdivision Law. The Town Clerk of the Town of Watertown is directed to file a certified copy of this local law in the office of the Town Clerk and with the Secretary of State as required by the Municipal Home Rule Law and to forward a copy thereof for codification.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded. Upon a roll call vote of the town board as follows, the resolution was duly adopted.

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Aye
Councilman Prosser	Aye
Councilman Smith	Aye

**MOTION # 85**

WHEREAS, on July 28, 2011 at 7:00 PM, a public hearing was duly held at the Town Offices, 22867 County Route 67, Watertown, NY, to hear all persons interested in Local Law No.5 of the Year 2011.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Watertown on this 28<sup>th</sup> day of July 2011, as follows:

1. Local Law No. 5 of the Year 2011 amends the Town of Watertown Sign Law to clarify requirements for pre-existing nonconforming signs, clarify calculation of sign area and provide additional signage on multi-tenant buildings.
2. Local Law No. 5 of 2011 makes appropriate revisions and clarifications of the existing Sign Law and is in the best interest of the Town of Watertown.
3. Based upon the foregoing, Local Law No. 5 of the Year 2011 is hereby approved and adopted and shall become part of the Town of Watertown Sign Law. The Town Clerk of the Town of Watertown is directed to file a certified copy of this local law in the office of the Town Clerk and with the Secretary of State as required by the Municipal Home Rule Law, and to forward a copy thereof for codification.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded. Upon a roll call vote of the town board as follows, the resolution was duly adopted.

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Aye
Councilman Prosser	Aye
Councilman Smith	Aye

**MOTION # 86**

WHEREAS, The Town of Watertown has heretofore instituted an action in the Town of Watertown Justice Court against Kenneth and Sheila Drew for violations of Chapters 66, 101,70,and 107 of the Code of the Town of Watertown, which is currently pending, and

WHEREAS, the Town of Watertown has also instituted an action in New York State Supreme Court to enjoin Kenneth and Sheila Drew and seeking an Order to comply with the Town of Watertown Code, which action is also currently pending, and

WHEREAS, the New York State Supreme Court, Jefferson County, upon a finding that Kenneth and Sheila Drew are in violation of the provisions of the Code of the Town of Watertown, has jurisdiction to enjoin such violations and order the Drew's to remediate those violations and bring their property into compliance with the provisions of the Code of the Town of Watertown, and

WHEREAS, the criminal proceeding against Kenneth and Sheila Drew was scheduled for trial in Town of Watertown Justice Court on July 18, and July 19, 2011 and immediately prior to commencement of the trial, the Drew's, through their counsel, agreed to a proposal to settle both the criminal proceeding and the civil action as presented by counsel for the town, a copy of which is attached hereto as Exhibit "A", and

WHEREAS, it is necessary for this Board to approve the proposal and authorize counsel for the town to execute the same for presentation and approval by the Supreme Court.

NOW, THEREFORE BE IT RESOLVED BY the Town Board of Watertown as follows:

1. The foregoing recitations are incorporated herein and made a part thereof as if fully set forth hereafter.
2. This Board finds that the settlement proposal attached at Exhibit "A" has the desired affect of insuring compliance by the Drew's with the Code of the Town of Watertown and the removal from their property of those materials which violate the provisions of the Town Code.
3. This Board finds that the settlement proposal at Exhibit "A" is in the best interest of the Town of Watertown and is hereby approved. Counsel for the Town of Watertown is authorized to execute the Stipulation of Settlement for presentation to the Supreme Court.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded. Upon a roll call vote of the town board as follows, the resolution was duly adopted.

Councilman Desormo voiced some objection to the resolution, based on his concern about his own property and the possibility of the town condemning his property even though it is grandfathered.

Supervisor Bartlett	Aye
Councilman Rich	Aye
Councilman Desormo	Nay
Councilman Prosser	Aye
Councilman Smith	Nay

#### MOTION # 87

Supervisor Bartlett introduced Local Law No. 6 of the Year 2011, a local law to amend Chapter 77 of the Code of the Town of Watertown, Sewer District Regulations and called for a public hearing for the proposed local law to be held Thursday August 11, 2011 at 7:00 PM in the Town Municipal Building 22867 County Route 67, Watertown, NY.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

#### MOTION # 88

Supervisor Bartlett introduced Local Law No. 7 of the Year 2011, a local law to amend Chapter A113 of the Code of the Town of Watertown, Water District Rules and called for a public hearing for the proposed local law to be held Thursday August 11, 2011 at 7:00PM in the Town Municipal Building, 22867 County Route 67, Watertown, NY.

Supervisor Bartlett moved the foregoing resolution and Councilman Smith seconded.

Ayes All

#### MOTION # 89

Supervisor Bartlett introduced Local Law No. 8 of the Year 2011, a local law to require installation of lock boxes in certain commercial establishments within the Town of Watertown, and called for a public hearing for the proposed local law to be held

Thursday August 11, 2011 at 7:00 PM in the Town Municipal Building, 22867 County Route 67, Watertown, NY.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

Supervisor Bartlett informed the board that Westelcom inquired about erecting a radio tower on the top of the water tower in the industrial park. Discussion took place and a suggestion to sell the water tower to them was made.

MOTION # 90

Councilman Prosser moved to adjourn the meeting at 7:40 PM. Supervisor Bartlett seconded.

Ayes All

---

Catherine M. Rich, Town Clerk