

TOWN OF WATERTOWN
REGULAR MEETING
MUNICIPAL BUILDING
JANUARY 10, 2008

TOWN BOARD MEMBERS

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

Councilman Desormo welcomed Mr. Rick Serow, the new Highway Superintendent and Councilman Mr. Edward Smith to the town board.

Councilman Desormo offered a prayer and Supervisor Bartlett led the Pledge of Allegiance.

Supervisor Bartlett called the meeting to order at 7:00 PM and called for a roll call of members present. All members were present. Legal counsel Joseph W. Russell was present at the meeting.

Supervisor Bartlett welcomed the town's new Highway Superintendent Rick Serow and his wife Robin. He also welcomed Councilman Mr. Edward Smith to the board.

MOTION # 1

Supervisor Bartlett offered a motion to accept the minutes of the December 13, 2007 regular meeting as presented. Councilman Prosser seconded.

Ayes All

MOTION # 2

Supervisor Bartlett offered a motion to accept the minutes of the December 27, 2007 special meeting as presented. Councilman Rich seconded.

Ayes All

Supervisor Bartlett introduced Mr. Lehman of Bernier Carr Associates, and asked Mr. Lehman to give the board an update on the Water District # 1 Improvements.

Mr. Lehman stated that the SEQR process has been completed and the land acquisition is complete. Progress for the easements for the pipeline is underway on Coffeen Street. The plans and specifications are nearly complete for the project and should be ready to submit to the health department within a week and a half or two weeks at the most. Once the N.Y.S.D.O.F. submits their comments and easements are approved, they would be ready to advertise for construction bids. Mr. Lehman stated that they should be able to advertise for the construct on sometime in February. It is anticipated that construction would be complete in the 2008 construction season. Some cleanup might be necessary next year.

Supervisor Bartlett opened the floor to anyone wishing to address the town board.

Mr. David Roof gave an update on the status of the new ambulance service in the town.

Mr. Randy Vaas as members of the Town of Watertown Board of Assessment Review commented that a number of months ago the issue came up regarding the assessment for Wal-Mart. At the meeting town attorney suggested that the town come up with a certain amount of money to get the process complete. At that time the town board made a decision to not follow what the attorney had suggested.

Supervisor Bartlett stated that the town board did approve the amount suggested to hire Arrow Appraisal Service to complete the work.

Mr. Rick Serow raised the issue of safety for the landfill attendant when leaving and locking up the gates. He commented that there is no light at the gate and since the attendant is carrying cash, an opportunity is present for someone to accost her and steal any money she is carrying. He also stated that some sort of drop box may need to be installed at the landfill sight to protect the operator during open hours.

Supervisor Bartlett stated that he would get together with Mr. Serow and come up with a solution. He also suggested that National Grid be asked to put up a pole with a light by the gate.

No one else chose to address the board, therefore, Supervisor Bartlett closed the open session.

Town Clerk's Correspondence:

A legal notice from Jefferson County Board of Legislators imposing a dog quarantine in Jefferson County, effective immediately and expires April 15, 2008.

Supervisor Bartlett acknowledged receipt of the town clerk's report for the month of December 2007.

RESOLUTIONS:

MOTION # 3

WHEREAS, pursuant to the provisions of Chapter 64, Section 11 of the Town Law, it is necessary to designate an official newspaper of the town for publishing legal and official notices to the public.

THEREFORE BE IT RESOLVED, the Watertown Daily Times is hereby designated as the official newspaper of the Town of Watertown for all notification and publishing purposes for the Fiscal Year 2008.

Councilman Rich moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 4

WHEREAS, Pursuant to the provisions of Chapter 64, Section 1 of the Town Law, it is necessary to designate bank depositories for the safekeeping and investment purposes of town funds.

THEREFORE BE IT RESOLVED, that Key Bank, H.S.B.C. and Community Bank of Watertown, N.Y. are hereby designated as depositories of Town of Watertown funds for the Fiscal Year 2008.

The foregoing resolution was offered by Councilman Desormo and seconded by Councilman Rich.

Ayes All

MOTION # 5

WHEREAS, pursuant to the provisions of Chapter 62 of the Town Law, it is necessary to designate and establish a schedule of regular meeting times at the first meeting of each year.

THEREFORE BE IT RESOLVED, that all monthly regular meetings of the Town Council will be held on the second Thursday of each month of the Year 2008, at 7:00 PM, at the Town Municipal Offices, 22867 Co. Rt. 67, Watertown, N.Y. 13601, with the exception of the October and November meetings, which will be held on the first Thursday of October and the first Thursday in November following the General Election for the Fiscal Year 2008.

Councilman Prosser moved the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION # 6

WHEREAS, pursuant to the provisions of Town Law, it is necessary to designate and appoint legal Counsel for town purposes at the first meeting of each year.

THEREFORE BE IT RESOLVED, that the legal firm of Menter, Rudin and Trivilpiece of Watertown and Syracuse, NY is hereby appointed Legal Council for the Town of Watertown for the Fiscal Year 2008.

Councilman Rich moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 7

WHEREAS, pursuant to the provisions of Town Law, it is necessary to designate and appoint Legal Counsel for town bonding and financial purposes at the first meeting of each year.

THEREFORE BE IT RESOLVED, that the Legal Firm of Hrabchak, Gebo and Langone of Watertown, NY is hereby appointed Legal Counsel for the Town of Watertown for the Fiscal Year 2008.

The foregoing resolution was offered by Councilman Prosser and seconded by Councilman Desormo.

Ayes All

MOTION # 8

WHEREAS, it is necessary to designate and appoint a Chairman for the Town of Watertown Planning Board for the Year 2008.

WHEREAS, Planning Board members Pamela Desormo and Thomas Boxberger have expressed an interest in being re-appointed as Co-Chairman of the Board.

THEREFORE BE IT RESOLVED, that Thomas Boxberger and Pamela Desormo are hereby appointed as Co-Chairmen of the Town of Watertown Planning Board for the Fiscal Year 2008.

Councilman Prosser moved the foregoing resolution and Councilman Rich seconded.

Ayes All

Supervisor Bartlett asked the town board members to review the questions regarding the environmental impacts (SEQR) on the following resolution regarding the expansion of Water District No. 1. The town board reviewed the questions in the open session on the Environmental Assessment Form, which is part of the resolution in Motion # 9.

MOTION # 9

WHEREAS, the Town of Watertown has undertaken certain steps in connection with the expansion of Water District No. 1 in said town, and

WHEREAS, certain additional actions are required by this board in order to bring about the expansion of Water District No.1 and the construction of the improvements required therein, including but not limited to, the adoption of the final order of the board establishing the expanded Water District, preparation of construction specifications, advertising and awarding of bids for the construction of the improvements and approving the funding for the construction, all of which actions are subject to compliance with the provisions of the State Environmental Quality Review Act and the regulations promulgated there under at 6NYCRR, Part617 (“SEQR”) and

WHEREAS, at a regular meeting of this board held on February 8, 2007, Part 1 of a long form environmental Assessment Form (EAF”) was duly accepted for filing by this board as prepared by the Town Engineer, a resolution was duly adopted by which this board declared itself lead agency and directing the town attorney to circulate Part 1 of the EAF to involved agencies identified in Part 1 of the EAF and attached to this resolution, and

WHEREAS, by letters dated February 14, 2007, the Town Attorney forwarded a copy of Part 1 of the EAF to the involved agencies as identified by this board, and

WHEREAS, this board has received the consent of each of the other identified involved agencies that this board act as lead agency for this project, has received comments from certain of the involved agencies and has thoroughly reviewed those comments in connection with its obligations under SEQRA, and

WHEREAS, as a result of comments received from the New York State Department of Environmental Conservation (NYSDEC), this board caused additional studies to be performed on the affect of the proposed project on certain identified endangered species and on cultural resources and historic property, and

WHEREAS, the study on endangered species was performed by the Environmental Collaborative of Fayetteville, New York and such study concluded that the project would have no negative impact on such species and the NYSDEC reviewed and concurred with the results of that study, and

WHEREAS, the study on cultural and historic property was conducted by Rush Consulting and concluded that the proposed project would have no impact on any identified cultural or historic resources and such conclusion was concurred with by the New York State Office of Parks, Recreation and Historic Preservation, and

WHEREAS, pursuant to 6 NYCRR Part 617, this board has reviewed Part II of the EAF to determine whether the project will have a significant effect on the environment, and

WHEREAS, pursuant to Article VIII of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation, to wit: 6NYCRR Part 617, this board has determined that the action will not have a significant affect on the environment and will not cause a significant impact on the environment and therefore, the preparation of an environmental impact statement is not required.

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

1. Based upon the examination of the EAF and the criteria set forth in 6NYCRR Part 617, the board makes the following findings.
 - A. The proposed action constitutes a Type I action pursuant to 6NYCRR Part 617 and this board has previously determined that a coordinated review is appropriate.
 - B. This board has received the concurrence from the other involved agencies as identified on the EAF that this board act as lead agency for this project. This board has received and considered the comments, if any, submitted by the other involved agencies.
 - C. No potentially significant adverse impacts on the environment are noted on the EAF, none are identified by any of the involved agencies and none are known to this board.
 - D. There will be no substantial adverse change in existing air or water quality.
 - E. There will be no hazard created to human health.
 - F. There will be no substantial change in the use or the intensity of the use on the land.
 - G. There will not be created a material conflict with the community's current plans or goals as officially adopted.
 - H. None of the criteria listed in 6NYCRR Section 617.11 will be present in the proposed project and no similar criteria will be present which will adversely impact on the environment.
2. The Town Clerk for the Town of Watertown is hereby directed to file in the Town Clerk's Office in a file readily accessible to the public, a negative declaration, substantially in the form and substantially to the affect of this Resolution and the Town Clerk may use this Resolution therefore.
3. The Clerk is directed to mail, by return receipt requested a copy of this Resolution and the determination of significance to each of the involved agencies.
4. The Clerk is directed to publish this Resolution and the determination of significance in the Environmental Notice Bulletin.
5. All subsequent notices concerning this project shall note that this board has issued a negative declaration.
6. This Resolution shall take effect immediately.

The foregoing resolution was offered by Councilman Prosser and seconded by Councilman Desormo. Upon a roll call vote as follows, the resolution was adopted.

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

MOTION # 10

WHEREAS, Water District 3 and 4 are connected wherein the water purchased from the water supplier passes through a single meter located at the beginning of Water District 3, and

WHEREAS, for accounting purposes funds must be transferred from District 4 revenues to District 3 to account for the total volume of water that passes through the District 3 master meter.

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to transfer funds from District 4 to District 3.

Councilman Prosser moved the foregoing resolution and Councilman Rich seconded.

Ayes All

MOTION # 11

WHEREAS, Chapter A113 of the Town Code , Water District Rules, Articles I,II,III and IV outlines procedures for water billing, payment, late payments and penalties for water district users who do not pay their water bills within the billing month, and

WHEREAS, these provisions provide cause for termination of water service for non-payment of water service.

THEREFORE BE IT RESOLVED, the town council hereby requests the town clerk issue a list of all properties who are deemed delinquent in payment of water bills within the prescribed time as stated in the Articles, to the Public Works Superintendent, wherein the superintendent shall terminate water service to the property until payment for prior service and restoration of service fees are received.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Discussion took place on the termination of service and it was agreed that an additional 30 day notice would be given after the initial 30 notice prior to actual termination of service.

Ayes All

MOTION # 12

WHEREAS, the current N.Y.S. Highway Work Permit for annual maintenance expired on December 31, 2007, and

WHEREAS, the town from time to time receives permits from the NYSDOT to temporarily obstruct install, construct, maintain, operate, or replace any facilities located within the bounds of the state highway right-of-way, and

WHEREAS, the Town of Watertown is required by the NYSDOT to indemnify or hold harmless agencies and or officials of the State of New York for such temporary obstructions, installations, construction or maintenance.

THEREFORE BE IT RESOLVED, that the supervisor, in his capacity, is authorized to execute the undertaking in connection with the highway permits issued by the NYSDOT agreement.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded.

Ayes All

MOTION # 13

WHEREAS, the town has taken dedication of a certain portion of road located within the Dry Hill Estates subdivision that extends the road from the intersection of Hickory Lane within the development to County Route 155, Dry Hill Road, and

WHEREAS, a detailed map and survey of said dedicated portion of road is on file at the Town Clerk's Office, and

WHEREAS, it is necessary to rename the road as dedicated within the development.

THEREFORE BE IT RESOLVED, that henceforth from this date the dedicated portion of road formerly known as West Street located within the Dry Hill Estates Development shall be known as Ridgeview Road.

Supervisor Bartlett made the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 14

WHEREAS, pursuant to a resolution adopted and dated December 27, 2007, this board extended single coverage health benefits to full time, non-bargaining unit employees, following 20 years of service to the town upon retirement, and

WHEREAS, this benefit provided to non-bargaining unit employees should meet the same criteria as established for all full time bargaining unit employees, wherein the minimum age qualification is 55 years of age.

THEREFORE BE IT RESOLVED, that all persons who retire from service to the Town and were employed as full time General Fund Employees are hereby eligible for single care health coverage upon retirement providing they have completed 20 years of service and are a minimum age of 55.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 15

WHEREAS, pursuant to the provisions of Chapter 66-5 paragraph B (2), rules governing solid waste disposal, refuse accepted at the town transfer station only if brought in a garbage bag imprinted with Town of Watertown on it, and

WHEREAS, in the past the public has been allowed to bring refuse to the transfer station in bags other than the imprinted bags as specified in the Town Code providing town residents purchase stickers which are placed upon said bags at the time of disposal, and

WHEREAS, it has been evidenced on many occasions that town transfer station user are disposing bags much larger than those allowed under the town code and are not purchasing stickers to accompany each bag when disposed of.

THEREFORE BE IT RESOLVED, effective Friday February 1, 2008, stickers for refuse bags brought to the town transfer station will no longer be available for purchase, and

BE IT FURTHER RESOLVED, that only 16 gallon and 30 gallon bags imprinted with the Town of Watertown will be accepted at the Town Transfer Station.

Supervisor Bartlett made the foregoing resolution and Councilman Prosser seconded.

Discussion took place regarding the need to notify the town residents and allow for use of existing stickers already purchased.

Ayes All

MOTION # 16

WHEREAS, pursuant to the provisions of Chapter 66-5 subsection B (3), rules governing solid waste disposal, the cost of garbage bags sold to town residents was established by local law adopted in 1991 at .80 cents for a 16 gallon bag and \$1.50 for a 30 gallon bag, and

WHEREAS, due to the increased cost of disposing of town residential solid waste, revenue shortfalls exist in the transfer station operating budget due to use of the station by non-town resident users who do not pay for the refuse service and state mandated improvements, making it necessary to increase the purchase price of garbage bags sold by the town, and

WHEREAS, pursuant to the provisions of Chapter 66-5 subsection B (3), the sale price of said refuse bags can be changed or increased by resolution of this board.

THEREFORE BE IT RESOLVED, effective Friday February 1, 2008 the cost of garbage bags is increase as follows:

16 GALLON BAG	30 GALLON BAG
\$1.25	\$2.00

Supervisor Bartlett offered the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 17

Supervisor Bartlett offered a motion to pay the following vouchers as audited.

General Fund Vouchers	#	330	to	335	Total	\$20,087.55
Highway Voucher	#	271	to	271	Total	\$ 8,750.55
General Fund Vouchers	#	1	to	21	Total	\$24,446.63
Highway Vouchers	#	1	to	22	Total	\$22,104.75
Spec. Dist. Vouchers.	#	1	to	9	Total	\$94,558.75

Councilman Desormo seconded the motion.

Ayes All

Old Business:

Councilman Prosser stated that since money was put in to the budget for a town website, could he proceed as a committee of one to pursue some sample contracts and invite someone to explain them at the next board meeting.

New Business:

Councilman Smith asked if it was correct that all highway employees would carry a water license. Supervisor Bartlett responded that this was part of the negotiations with the bargaining unit. Councilman Smith asked, "what if they don't want it". Supervisor Bartlett again responded that it would be a condition of employment.

Councilman Smith asked if the town was going to put out for a public vote, the construction/completion of the proposed Dome project. Supervisor Bartlett explained three different ways this project could proceed. He also stated that at this point the town did not have any cost estimates associated with the Dome, therefore presentation to the public is premature.

Councilman Prosser asked Mr. Russell if the issue with the overlay district has been resolved. Mr. Russell stated that he had responded to the issue whether the district grandfathered existing structures.

Supervisor Bartlett noted that there has been a lot of speculation and comments voicing their concern about the City of Watertown merging portions of the town. He further stated that there is no intent by the city or the town to merge any water districts or any other portion of the town. He further stated that he would send out a press release first thing tomorrow morning.

Supervisor Bartlett noted the recent problems in the highway department, with water line breaks, truck inspections and wind damages. He thanked Mr. Serow for responding to these problems effectively and congratulated him.

MOTION # 18

Councilman Prosser moved to adjourn the meeting at 8:01 PM. Supervisor Bartlett seconded the motion.

Ayes All

Catherine M. Rich, Town Clerk