TOWN OF WATERTOWN
REGULAR MEETING
MUNICIPAL BUILDING
FEBRUARY 14, 2013

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

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

MOTION # 19

Supervisor Bartlett moved to accept the minutes of the January 10, 2013 Regular Meeting. Councilman Desormo seconded.

Ayes All

Supervisor Bartlett opened the floor for any public comment. No one chose to speak and the Supervisor closed the floor.

Supervisor Bartlett acknowledged receipt of the Town Clerk's report and the Town of Watertown Ambulance report for the Month of January 2013.

MOTION #20

WHEREAS, a certain map, plan and report for the proposed extension of Water District #1 within the Town of Watertown prepared by the engineering firm of Bernier Carr & Associates, has been filed with the Town Clerk for the Town of Watertown, and

WHEREAS, the land encompassing the proposed extension of Water District #1 is located within the Jefferson County Industrial Park, the infrastructure to provide service to said property has been constructed and installed at no cost to the Town, and a request has been made to this Board extend Water District #1 pursuant to Article 12-a of the New York State Town Law.

NOW, on motion duly made and seconded, it is: FOUND, ORDERED AND DETERMINED that the map, plan and report prepared by Bernier Carr & Associates for the proposed extension of Water District #1 has been duly filed with the office of the Town Clerk as required by law and is available thereat for inspection, and it is

FOUND, ORDERED AND DETERMINED that the boundaries of the proposed extension of Water District #1 shall be as appear on the map filed with the Town Clerk and as described on the attached Schedule "A"., and it is

FOUND, ORDERED AND DETERMINED that the improvements including transmission lines, appurtenances and lateral connections to transport waste water from the property within the proposed extension of Water District #1 have already been constructed at no cost to the Town and therefore, the Town on behalf of Water District #1 will not have to incur debt in connection therewith, and it is

ORDERED that a public hearing be held on the 14th day of March, 2013, at 7:00 PM, at the Town Offices, 22867 County Route 67, Watertown, New York to hear all persons interested in the proposed extension of Water District #1, and it is further

ORDERED that the Town Clerk shall cause a copy of this Order to be published at least once in the official newspaper for the Town of Watertown not less than 10 no more than 20 days before the date set for the hearing, and shall cause a copy hereof to be posted on the signboard of the Town of Watertown maintained pursuant to the provisions of the Town Law not less than 10 no more than 20 days before the date designated for the hearing.

## SCHEDULE "A"



Town of Watertown — January 31, 2013
Water District No. 1 Boundary Extension — Project No. 2001-013

ALL THAT TRACT or parcel of land situate in the Town of Watertown, County of Jefferson, State of New York, and further described as follows:

BEGINNING at the intersection of the northerly property line of Tax Map Parcel 73.19-1-7 and the westerly highway limits of County Route 202, said point of beginning also being in the Town of Watertown Water District No. 1 limits;

THENCE in a generally northwesterly direction along the northerly property line of Tax Map Parcels 73.19-1-7 and 73.19-1-6 to the most northwesterly corner of Tax Map Parcel 73.19-1-6;

THENCE in a generally northeasterly direction on a straight line, crossing through Tax Map Parcel 73.19-1-5.1 to the most southwesterly corner of Tax Map Parcel 73.19-1-5.5;

THENCE in a generally southeasterly direction along the southerly property line of Tax Map Parcel 73.19-1-5.5 to a point in the westerly highway limits of County Route 202, said point being in the Town of Watertown Water District No. 1 limits;

THENCE in a generally southwesterly direction along the westerly highway limits of County Route 202 and the Town of Watertown Water District No. 1 limits to the point of beginning.

CONTAINING 3 acres of land more or less.

ALSO INCLUDING all that tract or parcel of land situate in the Town of Watertown, County of Jefferson, State of New York, and further described as follows:

BEGINNING at the most northwesterly corner of Tax Map Parcel 73.20-1-2.7, said corner being in the Town of Watertown Water District No. 1 limits;

THENCE in a generally northerly direction and along the westerly property line of Tax Map Parcel 73.20-1-2.7 extended, crossing through Tax Map Parcel 73.20-1-1.2 to the intersection of the westerly property line Tax Map Parcel 73.19-1-2.7 extended and the southerly shoreline of the Black River;

THENCE in a generally southeasterly, easterly and northeasterly direction along the southerly shoreline of the Black River as the shoreline winds and turns to the limits of Town of Watertown Water District No. 1;

THENCE in a generally southerly direction along the limits of Town of Watertown Water District No. 1 to a point in the northerly property line of Tax Map Parcel 73.20-1-2.14, said point being in the Town of Watertown Water District No. 1;

THENCE in a generally southwesterly, northwesterly and westerly direction along the limits of Town of Watertown Water District No. 1 to the point of beginning, said limits of Town of Watertown Water District No. 1 being along the northerly property line of Tax Map parcels 73.20-1-2.14, 73.20-1-2.11, 73.20-1-2.12 and 73.20-1-2.7.

CONTAINING 19 acres of land more or less.

IT BEING the intent to describe the limits of Town of Watertown Water District No. 1 Boundary Extension. The above referenced Town of Watertown Tax Maps 73.19 and 73.20 are on file in the Jefferson County Tax Mapping Department.

Supervisor Bartlett moved the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION # 21

WHEREAS, at a regular meeting of this Board held at the Town offices on the 8th day of November, 2012, an Order of this Board was duly adopted and entered in the minutes of the proceedings reciting in general terms the filing of a map and description with the Town Clerk of the Town of Watertown for the proposed extension of Water District No. 1 within the Town of Watertown, reciting the boundaries of the proposed District extension, the improvements proposed, that the cost to construct such improvements shall be borne by the owner of the single parcel that encompasses the extension, and specifying that a public hearing shall be held to hear all persons interested in the proposed expansion of Water District No. 1 at 7:00 p.m. on December 13, 2012, and

WHEREAS, a copy of the aforementioned Order of this Board was duly and regularly published in the official newspaper for the Town of Watertown and certified copies thereof were posted on the official sign board of the Town of Watertown as required by Article 12-A of the Town Law, and

WHEREAS, a public hearing was duly held pursuant to the aforesaid Order at the Town offices, 22867 County Route 67, Watertown, New York on December 13, 2012, at 7:00 p.m., and all persons interested in the proposed extension were provided an opportunity to be heard, and

WHEREAS, following the closing of the public hearing this Board voted unanimously to adopt certain findings and determined to extend Water District No. 1 as shown on the map on file with in the Town Clerk's Office, and

WHEREAS, within ten (10) days following the adoption of the aforesaid Resolution, the full text of the Resolution together with a notice setting forth the date of the adoption thereof and the fact that the resolution was adopted subject to a permissive referendum was published in the official newspaper of the Town of Watertown and posted as required by law, and

WHEREAS, more than thirty (30) days have elapsed since the adoption of the Resolution, and no petition protesting against the Resolution has been properly submitted to the Town Clerk of the Town of Watertown, and the Town Clerk has caused to be filed pursuant to Section 209-e(4)(a) of the Town Law a certificate certifying that no petition was filed requesting a referendum, and

WHEREAS, the permission of the State Comptroller is not required pursuant to Section 209-f of the Town Law.

NOW, THEREFORE, upon a motion duly made, and seconded, this Board hereby makes the following Order:

1. ORDERED that the aforesaid recitations are incorporated herein as if fully set forth hereafter, and it is further

2. ORDERED that the extension of Water District No. 1 as described in the map and description on file in the Town Clerk's office and on Schedule "A" attached hereto and made a part hereof is finally established and the

providing of the services thereof as described therein is hereby authorized, and it is further

3. ORDERED that the Town Clerk of the Town of Watertown shall cause a certified copy of this final Order of the Town Board to be duly recorded in the Office of the Clerk of the County of Jefferson, within ten (10) days after its adoption, and to file a certified copy thereof with the Department of Audit and Control within ten (10) days following its adoption.

**SCHEDULE "A"**

Puccia - 3.53 Acre Parcel

All that parcel of land located in the Town of Watertown, County of Jefferson and State of New York, bounded and described as follows:

Beginning at an iron pipe set (2001) at the intersection of the northeast highway boundary of New York State Route 12F with the southeast highway boundary of County Route 202; and runs thence from the point of beginning in a generally northwesterly direction along the southeast highway boundary of County Route 202 on a curve to the right with a radius of 25.00 feet an arc distance of 39.27 feet to an iron pipe set (2001) that is North 24 degrees 16 minutes 02 seconds West, 35.36 feet from the first mentioned iron pipe; thence North 20 degrees 43 minutes 58 seconds East, 669.67 feet along the southeast highway boundary of County Route 202 to an iron pipe set (2001); thence in a generally northeasterly direction continuing along the southeast highway boundary of County Route 202 on a curve to the right with a radius of 25.00 feet an arc distance of 37.84 feet to an iron pipe set (2001) that is North 64 degrees 05 minutes 46 seconds East, 34.33 feet from the last mentioned iron pipe; thence South 72 degrees 32 minutes 27 seconds East, 77.90 feet along the southwest highway boundary of County Route 202 to a point at the intersection of said highway boundary with the lands of Northbrook New York, LLC on the east; thence South 03 degrees 38 minutes 31 seconds West, 761.31 feet along the lands of Northbrook New York, LLC on the east to a point in the northeast highway boundary of New York State Route 12F; thence along the northeast highway boundary of New York State Route 12F the two following courses and distances: 1) North 68 degrees 31 minutes 40 seconds West, 280.11 feet to an existing iron pipe; 2) North 69 degrees 16 minutes 02 seconds West, 20.00 feet to the point of beginning, containing 3.53 acres of land.

The above described parcel being a part of lands conveyed by Virginia R. Burdick and Kathleen A. Clement to 20774 Coffeen Street Properties, LLC by deed dated December 1, 1998 and recorded in the Jefferson County Clerk's Office on December 3, 1998 in Liber 1651 of Deeds at Page 70.

Together with and subject to rights, covenants, easements, restrictions and rights of way of record.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION **#22**

WHEREAS, a certain map, plan and report for the proposed extension of Sewer District #2 within the Town of Watertown has been filed with the Town Clerk for the Town of Watertown, and

WHEREAS, the land encompassing the proposed extension of Sewer District #2 as more particularly described in Schedule "A" attached hereto is under the ownership and/or control of a single entity which has requested that this Board extend Sewer District #2

pursuant to Article 12-a of the New York State Town Law at no cost to the Town of Watertown.

NOW, on motion duly made and seconded, it is:

FOUND, ORDERED AND DETERMINED that the map, plan and report for the proposed extension of Sewer District #2 has been duly filed with the office of the Town Clerk as required by law and is available thereat for inspection, and it is

FOUND, ORDERED AND DETERMINED that the boundaries of the proposed extension of Sewer District #2 shall be as appear on the map filed with the Town Clerk and as described on the attached Schedule "A", and it is

FOUND, ORDERED AND DETERMINED that the improvements to be constructed include transmission lines, appurtenances and lateral connections to transport waste water from the property to be improved within the proposed extension of Sewer District #2 to the City of Watertown Waste Water Treatment Plant, and it is

FOUND, ORDERED AND DETERMINED that the cost to construct the improvements to service the proposed extension of Sewer District #2 shall be borne entirely by the owner of the single parcel that encompasses the proposed extension to Sewer District #2, and it is

ORDERED that a public hearing be held on the 14th day of March, 2013, at 7:00 PM, at the Town Offices, 22867 County Route 67, Watertown, New York to hear all persons interested in the proposed extension of Sewer District #2, and it is further

ORDERED that the Town Clerk shall cause a copy of this Order to be published at least once in the official newspaper for the Town of Watertown not less than 10 no more than 20 days before the date set for the hearing, and shall cause a copy hereof to be posted on the signboard of the Town of Watertown maintained pursuant to the provisions of the Town Law not less than 10 no more than 20 days before the date designated for the hearing.

**SCHEDULE "A"**

ALL THAT TRACT or parcel of land situate in the Town of Watertown, County of Jefferson, State of New York, and further described as follows:

BEGINNING at the intersection of the westerly highway limits of County Route 202 and the southerly property line of Tax Map Parcel 82.11-1-35.225;

THENCE in a generally westerly direction along the southerly property line of Tax Map Parcel 82.11-1-35.225 to the southwesterly corner of said parcel, said southwesterly corner being in the northerly property line of Tax Map Parcel 82.11-1-35.222;

THENCE in a generally northwesterly direction along the westerly property line of Tax Map Parcel 82.11-35.225 to the northwesterly corner of said parcel;

THENCE in a generally easterly, northeasterly and easterly direction along the northerly property line of Tax Map Parcel 82.11-1-35.225 to the northeasterly corner of said parcel, said northeasterly corner being in the westerly highway limits of County Route 202;

THENCE in a generally southeasterly direction along the westerly highway limits of County Route 202 to the point of beginning.

CONTAINING 8.4 acres of land more or less.

SUBJECT to any rights or restrictions of record.

IT BEING the intent to describe the Town of Watertown, Sewer District No. 2 Extension utilizing the Town of Watertown Tax Map 82.11, said Tax Map is on file in the Jefferson County Tax Mapping Department.

Supervisor Bartlett made a motion to accept the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION # 23

WHEREAS, North Country Contractors who are contracted to provide the Capital Construction Improvements within Sewer District No. 3 has submitted pay request No. #3 for payment of capital improvement construction completed to date in the amount of $146,176.40, and

WHEREAS, the Town Engineer has certified to this board that all work completed relative to pay request No. 3 on contract No. 1 Pipeline construction has been completed and is certified as acceptable and meets all requirements for payment.

THEREFORE BE IT RESOLVED, the Supervisor is authorized to issue payment to North Country Contractors for payment of pay request No.3 for work completed on the Capital Improvement project in the amount of #146,176.40

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 24

Supervisor Bartlett moved the pay the following abstracts as audited.

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| General Vouchers | # | 23 | to | 25 | Total | $ 11,383.05 |
| Highway Voucher | # | 17 | to | 17 | Total | $ 16,093.89 |
| Spec. Dist. Vchrs. | # | 9 | to | 9 | Total | $ 2,514.91 |
| General Vouchers | # | 26 | to | 51 | Total | $ 14,280.38 |
| Highway Vouchers | # | 18 | to | 37 | Total | $ 25,163.12 |
| Spec. Dist. Vchrs. | # | 10 | to | 16 | Total | $105,266.10 |

Councilman Prosser seconded the motion.

Ayes All

MOTION # 25

Councilman Smith moved to purchase a new copier for Supervisor's Office. Councilman Desormo seconded.

Supervisor Bartlett offered the following amendment. The funds are in the contingency account, therefore a transfer from A1990.4 to the supervisors account A1220.2 in the amount of $1,000.00.

Councilman Desormo seconded the amendment.

The following votes were cast on the motion as amended.

Ayes All

MOTION # 26

Supervisor Bartlett moved to adjourn to executive session @ 7:09 PM to discuss land acquisition, contract negotiations & arbitration. Councilman Smith seconded the motion.

Ayes All

Supervisor Bartlett reconvened the regular portion of the meeting at 7:46 PM.

There was no old business or new business to discuss.

MOTION # 27

Councilman Prosser moved to adjourn the meeting at 7:47 PM. Councilman Desormo seconded.

Ayes All

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Catherine M. Rich, Town Clerk