TOWN OF WATERTOWN
REGULAR MEETING
MUNICIPAL BUILDING
JANUARY 8, 2009

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

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

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

MOTION # 1
Supervisor Bartlett moved to accept the minutes as presented for the December 30, 2008 Special Meeting. Councilman Prosser seconded.

Ayes All

Supervisor Bartlett opened the floor for anyone wishing to address the town board. No one chose to speak and the Supervisor closed the floor to the public.

Petitions and Communications:

Supervisor Bartlett notified the board of a letter from the New York State Association of Towns regarding their annual meeting in New York City. He asked the board members to notify him if anyone would like to attend.

MOTION # 2
WHEREAS, the term of office of C. Randy Vaas, a member of the Town of Watertown Planning Board expired, December 31, 2008, and
WHEREAS, Mr. Vaas has expressed an interest in re-appointment to the Town of Watertown Planning Board and has completed the mandatory training requirements authorized and recognized by this board.
THEREFORE, BE IT RESOLVED, C. Randy Vaas, is hereby appointed to a term as a member of the Town of Watertown Planning Board, said term commencing January 1, 2009 and ending December 31, 2013.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded.

Ayes All

MOTION # 3
WHEREAS, the term of office of Dr. Nicholas Rice has expired and a vacancy exists in the position of Town Health Officer, and
WHEREAS, the position of Town Health Officer is mandated by the N.Y. State Public Health Law, and
WHEREAS, Town resident Thomas Boxberger has expressed an interest in being appointed to fill the position of health officer and a former regional director of the New York State. Department of Health is readily available to serve in the position and qualified to fulfill the duties of the office.
THEREFORE, BE IT RESOLVED, Thomas Boxberger is hereby appointed Town of Watertown Health Officer for a four year term commencing January 1, 2009 and ending December 31, 2012. and
BE IT FURTHER RESOLVED, that compensation for performance of duties relating to the health officer position is established at $581.00 for Fiscal Year 2009.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 4

Whereas, the South Jefferson Central School District has provided a proposed contract with the Town of Watertown for providing summer youth recreational activities for Town of Watertown residents, and

WHEREAS, the town has participated in the South Jefferson Summer Youth Program for a number of years with surrounding municipalities and has utilized the services provided town residents, and

WHEREAS, the town receives a partial re-imbursement from the State of New York for participating in the Summer Youth Program and funds are included in the Fiscal Year 2009 budget for said purposes, and

WHEREAS, terms and conditions of the proposed contract for services provided by the school district are attached as "EXHIBIT".

THEREFORE, BE IT RESOLVED, the supervisor is hereby authorized to execute said agreement on behalf of the Town of Watertown under the terms and conditions (attached as exhibit A) contained in agreement.

Supervisor Bartlett moved the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION # 5

WHEREAS, the term of office of C. Randy Vaas, a member of the Board of Assessment Review expired, September 30, 2008, and

WHEREAS, Mr. Vaas has expressed an interest in re-appointment to the Assessment Review Board.

THEREFORE, BE IT RESOLVED, C. Randy Vass is hereby appointed to a term on the Town of Watertown Board of Assessment Review.

Ayes All

MOTION # 6

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, the Legal Firm of Hrabchak, Gebo and Langione P.C., Watertown N.Y. is hereby appointed Bond and Financial Legal Counsel for the Town of Watertown for the Year 2009.

Ayes All

MOTION # 7

WHEREAS, pursuant to the provisions of Town Law, it is necessary to designate and appoint a chairman for the Town of Watertown Planning Board for the Year 2009, and

WHEREAS, planning board members Pamela Desormo and Thomas Boxberger have expressed an interest in re-appointment as Co-Chairmen of the Planning Board.

THEREFORE, BE IT RESOLVED, Pamela Desormo and Thomas Boxberger are hereby appointed as Co-Chairmen of the Town of Watertown Planning Board for the Year 2009.

Ayes All

MOTION # 8

WHEREAS, the current Town of Watertown N.Y.S. Highway Work Permit has expired, and

WHEREAS, the town from time to time receives permits from the N.Y.S.D.O.T. to temporarily obstruct, install, construct, operate or replace certain infrastructure located within the bounds of the state right-of-way, and

WHEREAS, the Town of Watertown is required by the N.Y.S.D.O.T. to indemnify and hold harmless agencies and or officials of the State of New York for such temporary obstructions, installations, construction or maintenance to certain infrastructure within the state right of way.

THEREFORE, BE IT RESOLVED, the Town Supervisor in his capacity, is authorized to execute any necessary documents in relation to the N.Y.S.D.O.T. highway work permit.

Supervisor Bartlett moved the foregoing resolution and Councilman Smith seconded.

Ayes All

MOTION # 9

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 notifications and publishing purposes for the Fiscal Year 2009.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 10

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 purposed of Town Funds.

THEREFORE, BE IT RESOLVED, Key Bank, H.S.B.C., Community Bank of New York and M& T Bank are hereby designated as depositories of Town Funds for the Fiscal Year 2009.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 11

WHEREAS, pursuant to the provisions of Chapter 62 of the Town Law, it is necessary to designate and establish a schedule of all regular meeting times and dates of the Town Council for the Fiscal Year 2009.

THEREFORE, BE IT RESOLVED, that all regular meeting of the Town Council will take place on the second Thursday of each month of the Year 2009 at 7:00PM, at the Town Municipal Offices, 22867 County 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 following the general election held in November of 2009.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 12

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, the Legal Firm of Menter, Rudin and Trivilpiece of Watertown and Syracuse, N.Y. is hereby designated and appointed legal counsel for the Town of Watertown for the Year 2009.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All
Exception, one no vote by Mr. Smith

MOTION # 13

WHEREAS, water districts three and four are connected wherein water purchased from the City of Watertown, the water supplier, passes through and is metered at the beginning of the boundary of water district three, and

WHEREAS, for accounting purposes funds must be transferred from district four metered sales revenues to district three, to account for the total volume of water passing through the district three master meter.

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to transfer funds between district three and four for accounting purposes.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 14

WHEREAS, the Town of Watertown has undertaken certain steps in connection with the extension of Sewer District No. 2 to serve residential parcels along NYS Route 3 in said Town, and

WHEREAS, at a regular meeting of this board held on December 11. 2008, Part I 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 I of the EAF to the involved agencies identified in Part I of the EAF and attached to his resolution, and

WHEREAS, by letters dated December 12, 2008, the Town Attorney forwarded a copy of Part I of the EAF to the only other involved agency (NYSDEC) as identified by this Board, and

WHEREAS, this Board has received the consent of such other identified involved agency that this Board act as the lead agency for this project, 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 6 NYCRR Part 617, the Board makes the following findings.
    A. The proposed action constitutes a Type 1 action pursuant to 6 NYCRR 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 agency 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 agency.
    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 6 NYCRR 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 the determination of significance to each of the involved agencies.

4. The clerk is directed to publish 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.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Upon a roll call vote of the Town Board as follows, the motion was duly adopted.

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

MOTION # 15

Supervisor Bartlett moved the following abstracts be paid as audited.

General Voucher	#	339	to	339	Total	$ 566.19
Spec. Dist. Vouchers.	#	138	to	139	Total	$ 3,672.84
General Vouchers	#	1	to	25	Total	$20,325.91
Highway Vouchers	#	1	to	19	Total	$44,457.42
Spec. Dist. Vouchers.	#	1	to	7	Total	$39,575.84

Councilman Prosser seconded the motion.

Ayes All

Old Business:

Discussion took place on the right of the town to close the walk on Arsenal St. bridge during heavy snow storms, since it was state owned property and involves a state highway. Legal Counsel will follow up and give an opinion to the board.

Brookside Cemetery would like to purchase an old generator from the town, that is no longer any use to the town. It was determined that the cemetery should make an offer to the town for the purchase.

Discussion took place regarding the small cemetery on Gotham Street Road. The individual living next door would like the town to secure the property to limit the use of the cemetery. Legal Counsel will look into the matter further, since the town does have responsibility to maintain abandoned cemeteries. It was also stated that the public has the right to enter the cemetery.

Deputy Highway Superintendent Bruce Rohr would like to purchase an oil furnace that will burn used motor oil. He would like to provide heat to the rear barn during the winter.

MOTION # 16

With no other business to come before the board, Councilman Prosser moved to adjourn the meeting at 7:52 PM. Councilman Desormo seconded.

Ayes All

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Catherine M. Rich, Town Clerk