TOWN OF WATERTOWN

REGULAR MEETING

MUNICIPAL BUILDING

JANUARY 14, 2010

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 the roll of members present.

All members were present. Legal Counsel Joseph W. Russell was present.

MOTION # 1

Supervisor Bartlett moved to accept the minutes of the December 17, 2009 Regular meeting. Councilman Desormo seconded.

Ayes All

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

Mr. Randy Vaas acknowledged and thanked Mr. Bruce Rohr for the work and the job he performed as acting Highway Superintendent. He then welcomed Mr. John Maguire on board as the new Highway Superintendent.

Mr. Steve Wise, Woodside Drive expressed his concern as well as his neighbors about the proposed water rate increase that is contemplated by Mr. Lettiere, owner of the district. He also asked if the town had any plans to take over the water district. Supervisor Bartlett stated that he would be calling for a meeting of the town board with the residents of the Lettiere tract to discuss that possibility.

All persons having had the opportunity to address the board, Supervisor Bartlett closed the floor to the public.

Supervisor Bartlett acknowledged receipt of the town clerk's report for the month of December 2009.

Supervisor's correspondence:

A letter from a Mr. Christopher M. Guldenpfennig regarding the water rate increase in the Lettiere Water District. He outlined some of his concerns as well as reinforced Mr. Wise's comments.

Another letter from Mr. Terry St. Pierre regarding the same issue.

RESOLUTIONS:

MOTION # 2

WHEREAS, Roger Tibbetts has applied for the following correction to the 2010 tax roll for real property identified as:

Correction

73.20-1-2.5 Car Freshner, 21205 Co. Rt. 200, parcel should have had an EDZ exemption in the amount equal to building value as determined by the bar. Taxable amount billed was $65,658.43 should have been $5,694.64

73.20-1-10.91 Car Freshner Corp. 22569 Co. Rt. 196. Parcel not entitled to any exemption EDZ expired in 2008. Taxable amount billed was $2,395.04, should have been $28,631.44.

BE IT RESOLVED, that the town board hereby approves the correction of this tax bill and authorizes the town clerk to issue a corrected tax bill to the owner of said parcel.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded.

Ayes All

MOTION # 3

WHEREAS, Assessor Roger Tibbetts has applied for the following split & correction to the 2010 tax Roll for real property identified as:

Split

| | | | |
|---|---|---|---|
| 90.18-1-13.1 | Beatrice J. Morse | $897.27 | 27.80 ac. |

Split into

| | | | |
|---|---|---|---|
| 90.18-1-13.1 | Beatrice J. Morse | $650.32 | 150x176 |
| 90.18-1-13.3 | Millard Living Trust | $ 14.40 | 3.98 ac |
| 90.18-1-13.4 | Dale R. Morse | $232.55 | 22.74 ac |

BE IT FURTHER RESOLVED, that the town board hereby approves the split of this tax bill and authorizes the town clerk to issue a corrected tax bill to the owner of said parcels.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 4

WHEREAS, Marcellus Construction has completed a phase of work relating to pipeline infrastructure improvements contract No. 2 in water district 1 and has submitted a pay request No. 2 in the amount of $76,317.87, and

WHEREAS, the Towns Engineer has certified that the work performed meets all standards as applicable under the contract for services provided by Marcellus Construction.

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to issue payments to Marcellus Construction for pay request No. 2 in the amount of $76,317.87.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 5

WHEREAS, Jordstat Construction has completed a phase of work relating to electrical Contract No. 4 for infrastructure improvements in Water Districts 1 and 4 and has submitted a pay request No. 2 in the amount of $34,559.12, and

WHEREAS, the towns engineers has certified that the work performed meets all standards as Applicable under the contract for services provided by Jordstat Construction.

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to issue payment to Jordstat Construction for pay request No. 2 in the amount of $34,559.12.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded.

Discussion: Councilman Smith questioned the change orders in the resolution submitted by Jordstat Construction Co.

Ayes All except Councilman Smith who voted no

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 firm of Hrabchak and Langione P.C. Watertown, NY is hereby appointed Bond and Financial Legal Counsel for the Town of Watertown for the Year 2010.

Supervisor Bartlett moved the foregoing resolution and Councilman Rich seconded.

Ayes All

MOTION # 7

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 3, and

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

THEREFORE BE IT RESOLVED, the supervisor is hereby authorized to transfer funds between District 3 and 4 for accounting purposes.

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 8

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, NY is hereby designated and appointed Legal Counsel for the Town of Watertown for the Year 2010.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 9

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 fiscal Year 2010.

THEREFORE BE IT RESOLVED, that all regular meetings of the Town Council will take place on the second Thursday of each month of the Year 2010, at 7:00 PM, at the Town Municipal Offices, 22867 County Rt. 67, Watertown, NY 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 2010, for the fiscal Year 2010.

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 purposes of town funds.

THEREFORE BE IT RESOLVED, Key Bank, H.S.B.C. Bank, Community Bank of New York and M & T Bank are hereby designated as depositories of town funds for the fiscal Year 2010.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

Motion # 11

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 2010.

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 a chairman for the Town of Watertown Planning Board for the Year 2010, 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 2010.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Ayes All

MOTION # 13

WHEREAS, the fee for services contract for ambulance service for Town of Watertown residents expired on December 31, 2009, and

WHEREAS, the Town of Watertown Ambulance Service, a not for profit organization, provides ambulance service wherein the organization has the responsibility of operating, conducting and maintaining the emergency ambulance service to serve the persons in the Town of Watertown, and

WHEREAS, such emergency services are vital and necessary to the health and general welfare of the inhabitants of the Town.

NOW, THEREFORE BE IT RESOLVED, in consideration of the terms and conditions contained with the proposed fee for service contract for the period of January 2010 through December 31, 2010 (attached as Exhibit A) the Town of Watertown Council hereby approves said agreement and contract for services for the amounts stated therein.

Supervisor Bartlett moved the foregoing resolution and Councilman Prosser seconded.

Councilman Smith asked if a second contract has been established with Guilfoyle or another ambulance service. Mr. Smith was informed that the Town of Watertown Ambulance Service is in the process of establishing a contract with Guilfoyle.

Upon a roll call vote of the town board as follows, the motion was duly adopted.

| | |
|---|---|
| Supervisor Bartlett | Aye |
| Councilman Rich | Abstained |
| Councilman Desormo | Aye |
| Councilman Prosser | Aye |
| Councilman Smith | No |

MOTION# 14

Whereas, The county is in need of manpower, machinery and equipment in connection with the maintenance, construction and reconstruction of County Roads and Bridges and the removal of snow and ice from county roads, and

WHEREAS, the Town of Watertown has the available equipment and manpower to provide said services for Jefferson County.

NOW, THEREFORE BE IT RESOLVED, that in consideration of the terms, promises and covenants contained within the proposed agreement between the County of Jefferson and the Town of Watertown (attached as EXHIBIT A) the Town Council hereby authorizes the supervisor to execute said agreement for the services enumerated in the agreement for the period commencing January 1, 2010 and expiring December 31, 2010.

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

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

MOTION # 15

Supervisor Bartlett moved to pay the following abstracts as audited.

| | | | | | | |
|---|---|---|---|---|---|---|
| General Vouchers | # | 1 | to | 36 | Total | $25,053.70 |
| Highway Vouchers | # | 1 | to | 16 | Total | $31,576.60 |
| Spec. Dist. Vchrs. | # | 1 | to | 12 | Total | $36,984.68 |

Councilman Prosser seconded the motion.

Ayes All

Supervisor Bartlett acknowledged receipt of the Town of Watertown Ambulance monthly report for the month of December 2009.

Supervisor Bartlett generated discussion on changing hours at the town's landfill.

MOTION # 16

Supervisor Bartlett moved to change the available hours at the town's landfill site to the following.

HOURS OF OPERATION:

Effective February 1, 2010

| | | | |
|---|---|---|---|
| Tuesdays | 7:00 am – 3:30 pm | 8 hours | to run packer & trailers to Jeff. Co. |
| Wednesdays | 9:00 am – 5:00 pm | 8 hours | at the landfill |
| Thursdays | 9:00 am – 5:00 pm | 8 hours | at the landfill |
| Fridays | 9:00 am – 5:00 pm | 8 hours | at the landfill |
| Saturdays | 9:00 am – 5:00 pm | 8 hours | at the landfill |

This position will be filled by David Dehoff at his MEO status. He will also be available when needed to fill in for snow plowing.

In the future if this position becomes available, the Town Board reserves the right to review the qualifications of the employee and establish the wages and job classification that is appropriate.

Councilman Smith seconded.

Ayes All

Supervisor Bartlett informed the board that the engineers are in the process of completing design work to divert sewer flow from Arsenal St. to Coffeen st. The engineers are in the process of designing a new map to determine the area the town needs to acquire through permanent easement.

MOTION # 17

The supervisor moved to allow him to hire Arrow Appraisers to appraise the subject area, at a cost not to exceed $ 4,000.00. Councilman Smith seconded.

Ayes All

Councilman Prosser brought the board up to date on their meeting with HUD to determine the potential of the town receiving grant monies for the proposed Northeast Water District. Mr. Prosser stated that the engineer Mr. Scordo was also present and that the discussion went very well, and they

were informed that an application for such a grant looked very promising and that they were willing to make a commitment to the town.

Councilman Rich asked the status of the appraisal and the survey on this property. Supervisor Bartlett stated that there is a problem in locating the abstracts and that Mr. Scordo was going to proceed using the tax maps.

Supervisor Bartlett thanked Bruce Rohr his work while acting as the Superintendent of the Public Works Department.

MOTION # 18

Councilman Prosser moved to adjourn the meeting at 7:38 PM. Supervisor Bartlett seconded.

Ayes All

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Catherine M. Rich, Town Clerk