TOWN OF WATERTOWN
REGULAR MEETING
MUNICIPAL BUILDING
NOVEMBER 10, 2011

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 called the meeting to order at 7:00 PM

MOTION # 124
Supervisor Bartlett offered a motion to adopt the minutes of the October 6, 2011 regular meeting. Councilman Rich seconded.

Ayes All

MOTION # 125
Supervisor Bartlett offered a motion to adopt the minutes of the October 20, 2011 Special meeting. Councilman Smith seconded.

Ayes All

MOTION # 126
Supervisor Bartlett offered a motion to schedule a special meeting for Thursday November 17, 2011 at 7:00 PM for the purpose of final revision and adoption of the 2012 Fiscal Year Budget. Councilman Rich seconded.

Ayes All

Supervisor Bartlett opened the public hearing on the proposed 2012 Fiscal Year Budget at 7:03 PM.
Since no one chose to speak on the budget, Supervisor Bartlett closed the public hearing at 7:04 PM.

Supervisor Bartlett opened the public hearing at 7:05 PM, on the Water District #4 Boundary extension. No one chose to speak and Supervisor Bartlett closed the hearing at 7:06 PM.

Supervisor Bartlett opened the public hearing at 7:06 PM, on Sewer District #4 boundary extension. No one chose to speak and Supervisor Bartlett closed the hearing at 7:07 PM.

Supervisor Bartlett opened the floor to the public for comment on any town matter. No one chose to speak and Supervisor Bartlett closed the open session.

Supervisor Bartlett acknowledged receipt of the Town Clerk's report and the Town of Watertown Ambulance report for the Month of November 2011.

MOTION # 127
WHEREAS, on October 20, 2011, at 7:00 PM, a public hearing was held by this board to consider Local Law No. 10 of the Year 2011 amending the Town Zoning Law (Chapter 107) to extend Business (B) District to include all that certain parcel of land located at the boundary of the City of Watertown and the Town of Watertown and identified on the latest completed assessment roll for the Town of Watertown as tax parcel #91.05-1-11.3 formerly located within the Residential -2 (R-2) District, amend

Attachment 1, Schedule of Regulations, to include Residential Health Care Facilities as a permitted principal use, and to amend the Zoning Map of the Town of Watertown accordingly to reflect the alteration of the boundaries of the B District and the R-2 District as appropriate and

WHEREAS, on November 10, 2011 public hearings were held to consider the extension of Water and Sewer Districts No. 4 to include the same tax parcel, and

WHEREAS, the proposed amendment and District extensions constitute a Type 1 action under the State Environmental Quality Review Act (the "Action') and

WHEREAS, this Board has caused to be prepared in connection with the proposed Action a long form Environmental Assessment Form ("EAF") dated September 22, 2011 which said EAF identifies the proposed Action, and

WHEREAS, this Board has caused a copy of Part 1 of the EAF to be forwarded to all other involved agencies with notification of this Board's intention to serve as lead agency and this Board has reviewed the concurrence of such agencies to serve as lead agency, and

WHEREAS, this Board has reviewed the comments received from the involved agencies and in particular correspondence from NYSDEC and although that correspondence addresses concerns that must be resolved prior to the issuance of a water supply permit, that letter identifies no specific adverse environmental impacts associated with the Actions pending before this Board and none are known to the Board, and this Board notes that the issues raised by the NYSDEC will necessarily be resolved prior to the issuance of a water supply permit and do not raise an adverse environmental impact associated with the proposed Action, and

WHEREAS, pursuant to 6 N.Y.C.R.R. Part 617, this Board has reviewed the EAF to determine whether the proposed Action will have a significant effect on the environment, and

WHEREAS, pursuant to Article VIII of the Environmental Conservation Law, and the regulations promulgated thereunder by the Department of Environmental Conservation, to wit: 6 N.Y.C.R.R. Part 617, (SEQR), this Board has determined that the proposed Action will not have a significant effect on the environment and will not cause a significant impact on the environment and therefore the preparation of a Environmental Impact Statement is not required.

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Watertown this 10th. Day of November 2011 as follows:

1. Based upon the examination of the EAF and the criteria set forth by SEQR, this Board makes the following findings:
    a) The foregoing recitations are incorporated herein and are part of these findings as if fully stated hereafter.
    b) The proposed Action Constitutes a Type 1 action pursuant to SEQR and the Town of Watertown is the only involved agency with authority to approve the action.
    c) No potentially significant adverse impacts on the environment are noted tin the EAF and none are know to the Board.
    d) There will be no substantially adverse changes to the existing air or water quality.
    e) There will be not hazard created to human health.
    f) There will be no substantial change in the use or intensity of the use of land.
    g) There will not be created a material conflict with the Community's current plans or goals as officially adopted, and
    h) None of the Criteria listed in 6 N.Y.C.R.R. Section 617.7 are presented by the proposed Action and no similar criteria are presented which will adversely impact on the environment.
2. The Negative Declaration attached to this resolution is hereby adopted and the Town Clerk of the Town of Watertown is hereby directed to file the negative declaration in the Town Clerk's Office and publish the same in the Environmental News Bulletin.
3. All subsequent notices concerning the proposed Action shall note that this Board has issued a negative declaration.
4. 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 # 128

BE IT RESOLVED, that the Town of Watertown, location code 30438 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees Retirement System based on the time keeping system records or the record of activities maintained and submitted by these officials to the clerk of this body.

Name	Soc Sec. # Last 4 digits	Registration #	Standard work day Hrs/day	participates in employer's time keeping System	Days/Month
John Maguire Jr.	4967	14121677	8	yes	20.00

Term begins 1/1/10-12/31/11

Supervisor Bartlett moved the foregoing resolution and Councilman Desormo seconded.

Ayes All

MOTION # 129

WHEREAS, Local Law No. 9 of the Year 2011, a local law to override the tax levy limit established by Section 3-C of the New York General Municipal Law was introduced by a member of the Town Board at a meeting thereof held on October 6, 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. 9 of 2011 for October 20, 2011 at 7:00 PM, and

WHEREAS, notice of the public hearing was duly published and posted as required by law and on October 20, 2011 at 7:00 PM a public hearing was duly held to hear all persons interested in the subject matter of Local Law No. 9 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. 9 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. 9 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.

Ayes All

MOTION #130

WHEREAS, by order of this Board dated October 6, 2011, a public hearing was scheduled for November 10, 2011, at 7:00 PM to consider the proposed extension of Water District No. 4 within the Town of Watertown, pursuant to a certain map, plan and report prepared by GYMO Architecture, Engineering & land Surveying, P.C. ("GYMO") and filed with the Town Clerk, and

WHEREAS, the order scheduling the public hearing was duly posted and published as required by law and on November 10, 2011, at 7:00 PM, a public hearing was held to consider all persons interested in the proposed extension of Water District No. 4.

NOW, on motion duly made and seconded, this Board makes the following determinations:

1. The notice of public hearing dated October 6, 2011 was duly published and posted as required by law and is otherwise sufficient.
2. All property and property owners to be benefitted by the proposed extension of Water District No. 4 are included within the limits of the proposed extension.
3. All of the property owners and all of the property located within the proposed water district extension are benefited thereby.
4. The extension of Town of Watertown Water District No. 4 pursuant to the map, plan and report on file in the office of the Town Clerk and upon which the public hearing was held on November 10, 2011, is in the public interest.
5. The extension of the Town of Watertown Water District No. 4 as described in the map, plan and report prepared by GYMO is hereby approved.
6. This resolution is adopted subject to a permissive referendum

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 # 131

WHEREAS, by order of this Board dated October 6, 2011, a public hearing was scheduled for November 10, 2011 at 7:00 PM to consider the proposed extension of Sewer District No.4 within the Town of Watertown, pursuant to a certain map, plan and report prepared by GYMO Architecture, Engineering & land Surveying, P.C. ("GYMO") and filed with the Town Clerk, and

WHEREAS, the order scheduling the public hearing was duly posted and published as required by law and on November 10, 2011 at 7:00 PM, a public hearing was held to consider all persons interested in the proposed extension of Sewer District No. 4

NOW, on motion duly made and seconded, this Board makes the following determinations:

1. The notice of public hearing dated October 6. 2011 was duly published and posted as required by law and is otherwise sufficient.
2. All property and property owners to be benefitted by the proposed extension of Sewer District No. 4 are included within the limits of the proposed extension.
3. All of the property owners and all of the property located within the proposed Sewer district extension are benefited thereby.
4. The extension of Town of Watertown Sewer District No. 4 pursuant to the map, plan and report on file in the office of the Town Clerk and upon which the public hearing was held on November 10, 2011, is in the public interest.
5. The extension of the Town of Watertown Sewer District No. 4 as described in the map, plan and report prepared by GYMO is hereby approved.
6. This Resolution is adopted subject to a permissive referendum

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 # 132

WHEREAS, at a regular meeting of this Board held on October 6, 2011, Local Law No. 10 of the Year 2011 was introduced by a member of the Board and a resolution was adopted scheduling a public hearing thereon for 7:00 PM on October 20, 2011, and

WHEREAS, notice of the public hearing was duly published and posted as required by law and the local law was forwarded to the Jefferson County Planning Board for its review as required by the General Municipal Law, and

WHEREAS, on October 20, 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. 10 of the Year 2011, and

WHEREAS, the Jefferson County Planning Board has recommended a minor amendment to the local law to facilitate the purpose of the proposed zoning amendment and with such amendment recommended approval, and

WHEREAS, subsequent to the public hearing the local law was amended to incorporate the recommendation of the Jefferson County Planning Board and, as amended and in final form, a copy of the local law has been provided to each member of the Town Board at least ten (10) days prior to the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Watertown on this 10th day of November 2011, as follows:

1. Local Law No. 10 of the Year 2011 amends the Town of Watertown Zoning Law and map to change the zoning classification of tax parcel number 91.05-11.3 from Residential R-2 to Business and to permit within the Business District Residential Health Care Facilities as a permitted use subject to site plan approval.
2. Local Law No. 10 of the Year 2011 is consistent with the Town of Watertown master plan and the plan and goals of the Town of Watertown and is therefore in the best interest of the residents of the Town of Watertown.
3. Based upon the foregoing, Local Law No. 10 of the Year 2011 is hereby approved and adopted and shall become part of the Town of Watertown Code. 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 motion was duly adopted.

Discussion: Councilman Prosser noted that he abstained at the County Planning Board.

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

MOTION # 133

Supervisor Bartlett moved to pay the following abstracts as audited.

General Voucher	#	272	to	272	Total	$ 633.90
General Vouchers	#	273	to	297	Total	$24,012.63
Highway Vouchers	#	196	to	223	Total	$48,165.49
Spec. Dist. Vchrs.	#	80	to	85	Total	$92,924.01

Councilman Rich seconded.

Ayes All

MOTION # 134

Supervisor Bartlett moved to adjourn to executive session at 7:20 PM to discuss personnel issues and labor negotiations. Councilman Smith seconded.

Ayes All

Supervisor Bartlett reconvened the regular meeting at 7:45 PM.

MOTION # 135

Supervisor Bartlett moved to authorize the Town Clerk to publish a notice in the newspaper requesting that interested parties should forward a letter of interest for the position of Town Justice in the Town of Watertown, due to the election of Justice McClusky to the State Supreme Court. The letters of interest will be accepted up until December 8, 2011 at 3:00 PM The motion was seconded by Councilman Smith.

Ayes All

Old Business: Supervisor Bartlett noted that the negotiations for the two housing projects are ongoing

MOTION # 136

Councilman Prosser moved to adjourn the meeting at 7:48 PM. Supervisor Bartlett seconded.

Ayes All

_____

Catherine M. Rich, Town Clerk