

**Town of Morristown
April 9 Regular Monthly Meeting**

Present: David VanArnam, Howard Warren, Frank Putman

Also Present: Mike Bogart, Valerie Harman, Kevin Crosby, Sherry Shatraw

Public Hearing-Amendment to Local Law #5 of 2012 (Sewer Law)

Supervisor Putman opened the hearing at 7 PM. There were no public comments received. The hearing was closed at 7PM.

The meeting was opened at 7 PM.

Approval of Minutes of March 5, 2013-A motion was made by Councilman Warren, and seconded by Councilman VanArnam, to approve and accept the minutes of the meeting of March 5, 2013.

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

Public Comment Period- No comment received.

Old Business

- Sewer Project** – A motion was made by Supervisor Putman, and seconded by Councilman VanArnam, to approve and authorize the amendment to sewer District 2 as follows:

In the Matter of the Amendment	AMENDED ORDER
of SEWER DISTRICT NO. 2	ESTABLISHING
in the Town of Morristown, County of	DISTRICT
St. Lawrence, New York.	

WHEREAS, an amended map, plan, and report relating to the establishment of proposed Town of Morristown, Sewer District #2, prepared by Burley & Guminiak, duly licensed civil engineers in the State of New York, in a manner and in such detail as has been determined by this Town Board, has been filed with the Town Clerk, in accordance with the requirements of Article 12-a of the Town Law; and

WHEREAS, an amended resolution was duly adopted by this Board resulting in the filing of the amended map, plan, and report, the improvements proposed, the boundaries of the proposed district, the proposed method of financing, the fact that the map, plan, and the report describing the same are on file in the Town Clerk's Office for public inspection, stating all other matters required by law to be stated, and specifying February 25, 2013 at 7:00p.m. at the Morristown Town Offices 604 Main Street, Morristown, St. Lawrence County, New York as the date, time and place where the Town Board will meet and consider the amendment of such district in accordance with the amended map, plan, and report and to hear all persons interested in the subject thereof concerning the same and take such action thereon as required and authorized by law; and

WHEREAS, such order was duly published and posted as required by law; and

WHEREAS, a hearing on the matter was duly held by the Town Board at the time, date, and place set forth in the public hearing notice, and comments received thereat; and

WHEREAS, the Town Board duly adopted a resolution amending such district at a special meeting held on the 25th day of February 2013 in accordance with the amended map, plan and report, and information received at the public hearing, and

WHEREAS, a notice of such amendment was published on the 27th day of February, 2013 indicating such amendment was subject to permissive referendum, and

WHEREAS, more than thirty days have elapsed since the publication of such resolution and no petition requesting permissive referendum has been filed.

Now, therefore, be it

RESOLVED AND DETERMINED:

- a) That the Notice of Hearing was published and posted as required by law;
- b) That all the property owners within the proposed district are benefited thereby;
- c) That all property and property owners benefited are included within the limits of the proposed District;
- d) That it is in the public interest to establish the District;

And it is further,

RESOLVED and DETERMINED, that the Town Board of Morristown in accordance with its prior order and in view of the fact that no referendum was requested, that the amendment of the District as set forth in the amended map, plan, and report be approved and the improvements therein mentioned be constructed by the District; and shall be bounded and described as set forth in Exhibit "A" attached hereto and be made a part hereof; and it is further

RESOLVED AND DETERMINED that there will be a maximum of \$3,825,000.00 in capital costs incurred for improvements in the establishment of the District to be funded by an estimated NYSSID grant of \$1,833,000.00, an EFC zero interest rate loan the balance, less any principal forgiveness, if any; and it is further

RESOLVED that the cost to the typical property owner within the proposed District based on an equivalent dwelling unit would be \$513.84 per year; and it is further

RESOLVED that the Town Clerk is authorized and directed to file the documents noting approval of this amendment to District with the Office of the State Department of Audit and Control, within ten days pursuant to the provisions of Article 12-a of the Town Law.

SCHEDULE "A"

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of Morristown, County of

St. Lawrence and State of New York, as depicted on the Town of Morristown Tax Maps, BEGINNING at a point at the northern corner of Parcel Number 83.048-1-14 and proceeding;

THENCE southeasterly along the northerly bounds of Parcel Numbers 83.048-1-14, a distance of 257 feet, more or less;

THENCE southeasterly along the easterly bounds of Parcel Number 83.048-1-14, across Steeple View Road to the intersection of River Road East, and Hooker Street, a distance of 347 feet, more or less;

THENCE southeasterly across River Road to the northern corner of Parcel Number 83.056-1-1, a distance of 51 feet, more or less;

THENCE southeasterly along the northeasterly bounds of Parcel Number 83.056-1-1 to the eastern corner of same parcel, a distance of 3,549 feet, more or less;

THENCE southwesterly along the southern bounds of Parcel Number 83.056-1-1 to the southeastern corner of same parcel, a distance of 135 feet, more or less;

THENCE northwesterly along the western bounds of Parcel Number 83.056-1-1 to the southeastern corner of Parcel Number 83.003-1-23, a distance of 1,569 feet, more or less;

THENCE southwesterly along the southeasterly bounds of Parcel Number 83.003-1-23 to an easterly corner of same parcel, a distance of 648 feet, more or less;

THENCE southeasterly along the easterly bounds of Parcel Number 83.003-1-23 to the southeasterly corner of same parcel, a distance of 428 feet, more or less;

THENCE southwesterly along the southerly bounds of Parcel Number 83.003-1-23 to the southwest corner of same parcel, a distance of 3,021 feet, more or less;

THENCE southeasterly along the easterly bounds of Parcel Number 83.003-1-14.2 to the southeast corner of same parcel, a distance of 475 feet, more or less;

THENCE southwesterly along the northern bounds of the State Highway 12 right-of-way and the southeasterly bounds of Parcel Numbers 83.003-1-14.2, 83.003-1-22, 83.003-1-17.1, 83.003-1-11.112, 83.003-1-11.12, 83.003-1-11.2, 83.003-1-10.1, and 83.003-1-10.211, to the southwest corner of Parcel Number 83.003-1-10.211, a distance of 3,664 feet, more or less;

THENCE northwesterly along the western bounds of Parcel Number 83.003-1-10.211 to the southeast corner of Parcel Number 83.070-1-4.21, a distance of 2,489 feet, more or less;

THENCE southwesterly along the southeastern bounds of Parcel Numbers 83.070-1-4.21, 83.070-1-4.1, 83.070-1-5.1, 83.070-1-6, 83.070-1-7, 83.070-1-8, 83.070-1-9, 83.070-1-10.21, 83.070-1-10.22, 83.070-1-10.1 and 83.070-1-11 to the eastern corner of Parcel Number 83.070-1-24, a distance of 799 feet, more or less;

THENCE southeasterly along the northeastern bounds of Parcel number 83.070-1-24 to the southeast corner of same parcel, a distance of 259 feet, more or less;

THENCE southwesterly along the southeastern bounds of Parcel Number 83.070-1-24, 83.070-1-23, and 83.070-1-25, to the southwestern corner of Parcel Number 83.070-1-25, a distance of 854 feet, more or less;

THENCE southeasterly along the eastern bounds of Parcel Number 83.003-3-10.12 and 83.003-3-10.132 to the southeast corner of Parcel Number 83.003-3-10.132, a distance of 384 feet, more or less;

THENCE southwesterly along the southeastern bounds of Parcel Number 83.003-3-10.132 to a southeastern corner of Parcel Number 83.003-3-10.21, a distance of 50 feet, more or less;

THENCE southeasterly along the eastern bounds of Parcel Number 83.003-3-10.21 to the southeastern corner of same parcel, a distance of 354 feet, more or less;

THENCE southwesterly along the southern bounds of Parcel Number 83.003-3-10.21 to the southwestern corner of same parcel, a distance of 507 feet, more or less;

THENCE southwesterly across the Old Mills Road right-of-way to a point on the western side of same right-of-way, a distance of 51 feet, more or less;

THENCE northwesterly along the western bounds of Old Mills Road right-of-way to the southeastern corner of Parcel Number 83.003-3-4, a distance of 890 feet, more or less;

THENCE southwesterly along the southern bounds of Parcel Number 83.003-3-4, a distance of 564 feet, more or less;

THENCE northerly along the western bounds of Parcel Number 83.003-3-4 to a point on the southern bounds of River Road East right-of-way, a distance of 330 feet, more or less;

THENCE northerly across River Road East right-of-way to the southwest corner of Parcel Number 83.003-3-1.2, a distance of 50 feet, more or less;

THENCE northerly along the western bounds of Parcel Number 83.003-3-1.2 to the northwest corner of same parcel, and the shoreline of the St. Lawrence River, a distance of 251 feet, more or less;

THENCE northeasterly along the shoreline of the St. Lawrence River to the northern corner of Parcel Number 83.048-1-14, a distance of 11,596 feet, more or less, which is the point of beginning.

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

Kevin Crosby spoke to the Board about his concerns over frozen grinder pots. He also expressed concerns with freezing of 1.5 and 2 inch lines. Supervisor Putman asked to have a meeting with the Board, the engineer, contractor and a Siewert representative to discuss the concerns. The Board is concerned that the system has many problems that need to be addressed before the warranty expires. Pat and Cheryl Foy expressed their concern over when and how their lawn damage would be repaired. They are also concerned about additional blasting. They would like to have a say on how the damage will be remediated. The Supervisor asked to have the engineer informed of the Foy's concerns. Mayor Shatraw stated that the new system should not be having all these problems and it was costing the district money to call out staff to respond to problems.

2. Local Law #1 Of 2013 (Sewer Law Amendment) A motion was made by Councilman VanArnam, and seconded by Councilman Warren to approve Local Law #1 of 2013, a local law to amend Local Law #5 of 2012, as follows:

Article 1. - Authority. The Town Board of the Town of Morristown, pursuant to the authority granted it under Articles 12 of the Town Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Finding. The Town Board of the Town of Morristown finds that it is necessary to clarify certain provisions of the existing sewer use law with respect to campsites, seasonal cottages and also the billing structure between its two Sewer

Districts. It is the purpose of this local law to make amendments to the existing sewer use law, Local Law #5 of 2012, to accomplish this.

Article 3. - Enactment. The Town Board of the Town of Morristown hereby amends Local Law #5 of 2012 (Sewer Use Law) as follows:

- A. Article VIII Section 1 is hereby amended to change the classification at #23 from Campsite and Seasonal Cottage to Commercial Campsite and Commercial Seasonal Cottage.
- B. Article VIII, Section 1, Item 23 under Classification now amended to read: Commercial Campsite and Commercial Seasonal Cottages.
 - a) District 1, 1 unit per site/cottage
 - b) District 2, 1/3 unit per site/cottage
- C. Article VIII, Section 1, Item 24 under Classification now amended to read: Vacant Lot w/no sewer connection
 - a) District 1, 1/2 Unit
 - b) District 2, 1/2 Unit (Debt Only)
- D. Article VIII, Section 1, Item 25 under Classification now amended to read: Vacant Lot w/sewer connection
 - a) District 2, 1 Unit (Debt Only)

Article 4. - Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

3. Amendment to Land Use Code –Boat Houses- Tabled to May. Board would like to have the Chair of the Planning Board attend to answer questions.

4. Mill Road- Discussion is tabled to May.

5. Sand Street-Tree Removal- Tree is still standing. Councilman VanArnam will contact the contractor.

5. Other Old Business – No other old business.

New Business

1. Cancer Action – No one appeared from the organization to address the Board.

2. Resolution # 4 of 2013-Vacant Structures Notice Law a short discussion was held concerning the need for the resolution. A motion was made by Councilman Warren, and seconded by Councilman VanArnam, to move resolution # 4 of 2013- Abandoned Buildings Notification Law as follows:

A Resolution of Support for the Proposed laws Concerning Contact Information for Vacant Structures

Whereas, vacant abandoned and foreclosed homes and structures have proliferated throughout New York State over the last five years, and

Whereas, vacant structures that are not maintained for months at a time degrade and depreciate the value of the vacant structure as well as the value of the surrounding properties, and

Whereas, lending institutions that hold mortgages on said vacant structures do not always provide the contact information of the responsible party, and

Whereas, Assembly Bill A.88 and Assembly Bill A.824, currently pending, would make it mandatory for lending institutions to provide contact information of responsible parties regarding vacant structures; and require good faith in obtaining a foreclosure; and

Whereas, the Town of Morristown Town Board supports the passage of said bills

Now Therefore Be It Resolved, that the Town of Morristown hereby supports the passage of said Bills, and respectfully requests that the State Representatives who represents the constituents in the Town of Morristown support the passage of said Bills.

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

Resolution #5 of 2013 NYSAFE Act Repeal- A motion was made by Councilman Warren, and seconded by Councilman VanArnam to repeal Resolution #3 of 2013

OPPOSING A NUMBER OF PROVISIONS ENACTED UNDER THE NEW YORK SAFE ACT AND THE PROCESS BY WHICH THE ACT WAS ENACTED

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

A motion was made by Councilman Warren, and seconded by Councilman VanArnam to move resolution # 5 of 2013 as follows:

RESOLUTION # 5 of 2013

Repeal of the NEW YORK SAFE ACT Gun Control Law

WHEREAS, many of the residents of the Town of Morristown have expressed their displeasure with the NYSAFE Gun Control Act,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Morristown calls on all members of the New York State Senate and the Assembly for the immediate **repeal** of the NYSAFE Gun Control Act in its entirety, and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Andrew Cuomo, Senators; Patty Ritchie, Joseph Griffo, Elizabeth Little, Assemblymen: Kenneth Blankenbush and Mark Butler, Assemblywomen; Addie Russell and Janet Duprey, County Legislators Joseph Lightfoot and Gregory Paquin.

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

3. Other New Business-

Department Reports

Highway Superintendent-Superintendent Bogart handed out a written report to the Board and briefed them on Legislative Lobbying Day in Albany which was very successful. To complete the business of purchasing the new tractor started in late 2012 a motion was made by Supervisor Putman, and seconded by Councilman VanArnam to authorize the following budget transfer:

Highway DA

From: Revenue Account #599-Appropriated Fund Balance-\$21,200.00

To: Expense Account#5130.2- Machine Equipment -\$21,200.00

From: Revenue Account# 599 – Appropriated Fund Balance - \$20,000.00

To: Expense Account# 5130.2 – Machine Equipment - \$20,000.00

Vote: David VanArnam-aye, Howard Warren-Aye, Frank Putman-Aye

Code Enforcement Office- A written Report was given to the Board. The Code Officer discussed an unsafe structure at 2551 County Route 6. She was directed to initiate the process of declaring it unsafe.

Public Works Department- Kevin Crosby discussed the pump problem in District 1 and the odor problem on North Umlerland Street in Sewer District 2.

Assessor- No report

A motion was made by Supervisor Putman to enter into executive session to discuss matters relating to the employment history of a specific Town employee. The motion was seconded by Councilman VanArnam. The Board entered into executive session at 8:20 PM. The Board left executive session at 9 PM. Supervisor Putman reported that no action was taken during executive session.

The meeting was adjourned upon motion at 9PM.

Meeting minutes prepared by and respectfully submitted by David Murray, Town Clerk.