

**Town of Morristown
Regular Monthly Meeting
February 09, 2010**

Present: Frank Putman, Gary Turner, Mark Blanchard, David Stout III, Howard Warren, Michael Bogart, Kay Davis, Kevin Crosby, Leslie Wilson

Meeting convened at 7 PM

Approval of Minutes

Motion by Councilman Stout, seconded by Councilman Blanchard, to approve Year End Minutes of 12/29/2009.

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye.

Motion by Councilman Warren, seconded by Councilman Turner to approve the 2010 Organizational Minutes.

Public Comment – A member of the public thanked Highway Superintendent Bogart and his employees for the excellent job they are doing on maintaining town roads.

Old Business

1. **Sewer District #2 Update-** The initial application has been sent to the Dormitory Authority. A motion was made by Supervisor Putman, seconded by Councilman Blanchard to accept and approve the amended Map Plan and Report submitted by Burley & Guminiak, Engineers.

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye.

2. **Town Hall Project** - Tabled
3. **Employee Handbook** – Next meeting is set for Tuesday, February 23, 2010 at 6:30.

New Business

1. **Census Support Resolution** – Supervisor Putman moved and Councilman Stout seconded resolution # 5 as follows:

Resolution to promote Participation in the 2010 Census Within the Town of Morristown

WHEREAS, the U.S. Constitution mandates a headcount every ten years, which is accomplished by the decennial Census Process, and,

WHEREAS, population data from the Census are used to determine the number of seats each state has in the U.S. House of Representatives, as well as boundaries for legislative districts across New York State and within St. Lawrence County, and,

WHEREAS, Census data are widely used by every level of government in New York State to allocate over \$40 billion in program funds, and,

WHEREAS, Census data are used by the private sector for market research and to plan operations and expansions, and by individuals to research their communities, and,

WHEREAS, the census Bureau has asked for assistance of local governments, organizations and individuals across the country to help build public awareness about why the Census is important, and to encourage every person in their community to participate,

NOW THEREFORE BE IT RESOLVED, that the Town of Morristown does hereby support the efforts of the Census Bureau and of St. Lawrence County's Complete Count Committee to promote participation by all residents of the Town of Morristown in the 2010 Census, and **BE IT FURTHER RESOLVED**, that the Town of Morristown does hereby request that local agencies, service organizations and community leaders throughout the Town of Morristown work together to promote maximum participation in the Census

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye.

2. Joe Monfiletto spoke to the Board on the proposed I-98 Rooftop Highway and asked the Board to pass a resolution of support. Councilman Turner moved, and Councilman Blanchard seconded resolution # 6 as follows:
Resolution # 6 of 2010 Rooftop Highway

RESOLUTION TO SUPPORT THE CONSTRUCTION OF A FOUR LANE HIGHWAY IN ST. LAWRENCE, FRNKLIN, LEWIS, JEFFERSON AND CLINTON COUNTIES WITH FOUR-LANE SPURS TO MASSENA, OGDENSBURG, LOWVILLE AND POSSIBLY PLATTSBURGH AND URGE THE ASSISTANCE OF ELECTED STATE AND FEDERAL OFFICIALS TO MAKE IT A REALITY

Whereas, the economic impact of North Country Transportation improvements is a key component of the North Country Transportation Study, and

Whereas, the economic development impact analysis has measured the value to the regional economy of efficiency gains through user benefits such as reductions in travel time, reductions in operating costs, and reductions in accidents due to improved safety, and

Whereas, the gains through increased social and economic development opportunities due to improved transportation access will reduce unemployment rates, reduce government transfer payments such as social welfare and unemployment insurance, and increase employment in the region, and

Whereas, the transportation improvements can enhance access to labor, customer, tourism and supplier markets, as well as to intermodal transportation facilities, making the overall region more attractive to transportation-dependent industries, and

Whereas, the construction of a four lane highway within the boundaries of St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties and the construction of four-lane spurs connecting Massena, Ogdensburg, Lowville and possibly Plattsburgh will begin to address the transportation improvements necessary to foster such economic growth, and

Whereas, our elected New York and Congressional representatives can be assured that the Town of Morristown adamantly supports such four-lane highway construction,

Now, Therefore, Be It Resolved, that the Town of Morristown urges New York State Acting Commissioner, Mr. Stanley Gee, to cooperate with local transportation task force groups to push for the construction of a four-lane highway within St. Lawrence, Franklin, Lewis, Jefferson and Clinton Counties with four-lane spurs connecting Massena, Ogdensburg, Lowville, and

Be It Further Resolved, That a copy of this resolution be forwarded to Acting Commissioner Gee, New York State Department of Transportation; Governor Patterson; New York State Senators Griffo, Aubertine, and Little; New York State Assembly Members Scozzafava, Russell and Duprey; United States Senators Schumer, Gillibrand; Congressman Owens; St. Lawrence, Lewis, Franklin, Clinton and Jefferson Counties; and the Northern Corridor Transportation Group

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye.

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3. **Resolution # 7 St. Lawrence County Hold Harmless-** Councilman Stout moved and Councilman Warren seconded resolution # 7 as follows:

Resolution # 7 of 2010

HOLDING HARMLESS THE COUNTY OF ST. LAWRENCE FOR PROVIDING SERVICE FOR THE TOWN OF MORRISTOWN

By the Town Board Town of Morristown

WHEREAS, the Town of Morristown is desirous of St. Lawrence County Department of highways providing shared services such as paving, shoulder widening, signage, road stripping, blasting and other routine maintenance activities to the Town, and

WHEREAS, both the Town of Morristown and the County of St. Lawrence are desirous of promoting partnering efforts for the safety of the traveling public in St. Lawrence County, and **WHEREAS**, in this joint cooperative endeavor, the Town of Morristown and the County of St. Lawrence desires to be reimbursed for their expenditures, and

WHEREAS, the Town is aware that the County may incur liability in the providing of services and wishes to indemnify the County in this regard,

NOW, THEREFORE, BE IT RESOLVED that the Town of Morristown hereby agrees to defend, indemnify and hold harmless the County of St. Lawrence from and against liability, loss, damage, claim or action resulting from the work performed by the St. Lawrence County Department of highways. The Town of Morristown does not indemnify and hold harmless the County for any liability, loss, damage, claim, or action which arises during the actual performance of services by the St. Lawrence County Department of Highways. Sais St. Lawrence County Department of Highways and the County of St. Lawrence assumes the liability for losses, damages and claims for the actual physical performance of the work, and **BE IT FURTHER RESOLVED** that the following request for General Liability (GL) coverage is as follows:

General Liability Insurance

On an "Occurrence" basis, with the following limits:

\$1,000,000 Each Occurrence

\$2,000,000 General Aggregate

\$1,000,000 Products Aggregate

\$1,000,000 Personal Injury

\$ 50,000 Fire Damage Legal Liability

\$ 5,000 Medical Payment Expense

BE IT FURTHER RESOLVED, that St. Lawrence County shall be an additional insured on the GL Policy, via ISO endorsement CG 2026

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye

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4. Resolution # 8 Ogdensburg Correctional Facility- Supervisor Putman moved and Councilman Blanchard seconded resolution # 8 as follows:

Resolution # 8 of 2010: RESOLUTION OPPOSING THE CLOSING OF THE OGDENSBURG CORRECTIONAL FACILITY

WHEREAS, Governor Patterson's proposed 2010-2011 State Budget eliminates funding for the medium security Ogdensburg Correctional Facility, which would force the New York State Department of Corrections to close the facility; and

WHEREAS, this medium security prison was welcomed in Ogdensburg in 1982, at a time when other municipalities in New York State did not want a prison; and

WHEREAS, the Ogdensburg Correctional Facility has provided employment to residents of the City of Ogdensburg and St. Lawrence County for the past 28 years and has provided valuable manual labor through work programs to the City of Ogdensburg and other not for profit organizations in the greater Ogdensburg community; and

WHEREAS, the closing of the Ogdensburg Correctional Facility will result in the loss of more than 287 jobs at the facility, many held by Ogdensburg residents, and will result in untold job losses at businesses that support the facility and businesses that serve the employees of the facility; and

WHEREAS, the unemployment rate in St. Lawrence County is one of the highest of New York State's 62 counties; and

WHEREAS, the median income of residents in St. Lawrence County is one of the lowest of New York State's 62 counties;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Morristown strongly opposes the closing of the Ogdensburg Correctional Facility, and urges Governor Patterson and the State Legislature to provide the necessary funding to keep the Ogdensburg Correctional Facility open;

AND, FURTHER BE IT RESOLVED, that a copy of this resolution be forwarded to the Commissioner of Corrections Brian Fischer, Governor David Patterson, Senator Malcolm Smith, Senator Darrell Aubertine, Senator Hugh T. Farley, Senator Joe Griffo, Assemblyman James Tedisco, Assemblywoman Addie J. Russell, Assemblywoman Dede Scozzafava, Assemblywoman Teresa Sayward, and Assembly Speaker Sheldon Silver

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye

- 5. Agreement to Spend Town Highway Funds** – A motion was made by Supervisor Putman, Seconded by Councilman Turner to authorize the spending of town highway funds for 2010 as follows:

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

Town of Morristown
County of St. Lawrence

Pursuant to the provisions of Section 284 of the Highway Law, we agree that moneys levied and collected for the repair and improvement of highways, and received from the state for the repair and improvements of highways, shall be expended as follows:

1. GENERAL REPAIRS. The sum of \$ 81,500 may be expended for general repairs upon 43.39 miles of town highways, including sluices, culverts and bridges having a span of less than five feet and boardwalks or the renewals thereof.

2. IMPROVEMENTS. The following sums shall be set aside to expended for the improvement of town highways:
 - (a) On the road commencing at English Settlement Road (Center Road) and leading to Oswegatchie Town Line, a distance of 2.5 miles.
There shall be expended not over the sum of \$ 141,000
Type Hot Mix Width of traveled surface 18 Feet
Thickness 2 ½" compacted Sub base Improve Sub base, clean out drainage ditches, and replace culverts.

 - (b) On the road commencing at _____ and leading to _____, a distance of _____,
There shall be expended not over the sum of _____.
Type _____ of traveled surface _____
Thickness _____ Sub base _____

 - (c) On the road commencing at various locations –overlay patchwork and leading to _____, a distance of ___miles,
There shall be expended not over the sum of \$ 25,000
Type Hot Mix Width of traveled surface 18 feet.
Thickness 2 ½" Sub base _____

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No monkeys set aside for such improvements shall be expended, nor shall any work be undertaken, on such improvements, until the County Superintendent approves the plans, specifications and estimates for such construction.

This agreement shall take effect when it is approved by the County Superintendent of Highways.

Executed in duplicate this 9th day of February, 2010

Revenue

Sales Tax \$270,000

CHIPS \$ 82,000

NOTE: This Agreement should be signed in duplicate by a majority of the members of the Town Board and by the Town Superintendent. One copy must be filed in the Town Clerks Office and one in the County Superintendents office. Copies do not have to be filed in Albany.

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye

- 6. Bridgeport Contract-** A motion was made by Councilman Stout, seconded by Councilman Blanchard to approve and authorize the Bridgeport Veterinary contract for 2010.

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye

- 7. Sewer Overtime** – Kevin Crosby reported on previous overtime. He also advised the board that the town has a broken sewer pump. Repair costs is estimated at \$9,000 worst case and this is the third time it would be repaired. A new pump is estimated at over \$17,000. Supervisor Putman will look at where funds can come from for the pump replacement or repair.
- 8. Labella-** The Board asked the Clerk to have a representative be available at the March meeting. The Board is interested in an explanation of costs and what additional costs could be.
- 9. March Meeting-** The March Meeting is rescheduled for Tuesday, March 2 at 7 PM.

Committee Reports

- 1. Wind Energy** – The third draft is under review by the committee chair.
- 2. Pre-Disaster Mitigation** – The committee is still working.

Department Reports

- 1. Assessor** –No present-no report
- 2. Code Enforcement** – Monthly report was given and a second copy of the 2009 annual report was also given out.
- 3. Highway Superintendent** – Reported that the Roller Paver Grant has been submitted and the regular report was given out.

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4. **Dog Control** –Report was in the fax machine but was not put in the meeting packets for the meeting.

Executive Session- A motion was made by Supervisor Putman and seconded by Councilman Warren to enter into executive session to discuss matters pertaining to ongoing litigation.

Vote: Putman –Aye, Turner –Aye, Blanchard –Aye, Stout – Aye, Warren –Aye

Executive session was entered into at 8 PM. Left executive session at 8:35 PM. No action was taken.

Adjournment at 8:35 PM

Minutes respectfully submitted by David Murray, Town Clerk