

Minutes of the Constantia Town Board meeting held July 18, 2006 at 7:50 p.m. in the town hall

Present: Ronald Sakonyi - supervisor
Richard Colesante, John Metzger, Andrew Kelsey,
Daniel Buck - council members
Janet Warford - town clerk
Other present - Warren Bader - town attorney
James Bryant - county legislator
Paul Auringer – board of appeals chair
Lynn Hardy – deputy town clerk
Charles Gilkey - planning board chair
Edward Fry - ceo

Mr. Colesante made the motion to affirm the Resolution made by the Town of Constantia Town Board on June 20, 2006 that the premises located at 10 Railroad Street, Bernhards Bay, New York must be boarded up and the outside maintained in a safe manner and that no persons other than the owner or his agent shall enter upon the property and such property shall be posted with signs indicating “No Trespassing.” Seconded by Mr. Metzger.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - no	Buck - yes	

Mr. Metzger made the motion to accept the minutes of the June 20, 2006 board meeting. Seconded by Mr. Buck.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Vouchers submitted;

General fund claims no.210 – 238 as set forth on Abstract no. 7, dated 7/18/06.

Highway Fund claims no. 83 – 95 as set forth on Abstract no.7, dated 7/18/06.

Mr. Metzger made the motion to pay the vouchers as submitted, seconded by Mr. Kelsey.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Colesante made the motion to accept the Town Clerk’s Monthly Report for June 2006. Seconded by Mr. Buck.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Metzger made the motion to accept the Supervisor’s Report as submitted through July 18, 2006. Seconded by Mr. Colesante.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Colesante made the motion to accept the Code Enforcement Officers Report. Seconded by Mr. Buck.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Kelsey questioned the property owner of 10 Railroad Street having 30 days from notification to comply with the notice. He was duly informed on July 11th; therefore the clock would start ticking that day.

Mr. Fry reported having attended a conference in Marcy, July 14th with Mr. Sakonyi , Metzger and Colesante in regard to Title 19 of the Official Compilation of Codes, Rules and Regulations being amended by adding a new part 1203, which becomes effective January 1, 2007.

Mr. Kelsey spoke of Local Law # 1 of 1982, Fire Prevention Law and Local Law #1 of 1983 Refusing Administration and Enforcement Responsibilities of the State Uniform Fire Prevention and Building Code. Mr. Fry stated Local Law #2 of 1986 was passed accepting Administration and Enforcement Responsibility of the State Uniform Fire Prevention and Building Code.

Discussion followed. Mr. Buck questioned if the town could opt out of code enforcement. Yes, but enforcement would than revert to the state. Mr. Kelsey stated he had discussed this possibility with John Hinds and Mr. Hinds felt the town would be better served to keep code enforcement here.

Mr. Colesante stated the previous town board had looked at town fees and found many to be to low. The Oneida Lake Advisory Committee had also done this. He suggested a comprehensive review be made of all town fees charged. Mr. Kelsey recommended a review of the town’s codebook be made in conjunction with looking into fees charged. The town clerk volunteered to go through the codebook. She will also report to the board by the August meeting of current fees being charged and what surrounding towns are charging. Mr. Fry will so the same for fees in the code office.

The Supervisor read the Assessor's Monthly Report as follows; as of last week the assessor's office has gotten back online with their computer system with the county and have continued to update our assessment records. This process should be completed by the beginning of August.

We were recently given new maps of all waterfront properties in the town, so that we can confirm each properties land size on the water. This process will also be completed in the coming weeks so that when we mail out the inventory listings it will be listed properly.

Our next public information meeting will be August 23, 2006 at A.A.Cole at 7:00 p.m. Starting the first week in August, we will be notifying the papers so that we can get as much exposure as possible.

Mr. Metzger made the motion to accept the Assessor's Report. Seconded by Mr. Colesante

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Colesante made the motion to pass the following Resolution, Authorizing Reassessment of 2007 Assessment Rolls. Seconded by Mr. Buck.

WHEREAS, Section 305 of the NYS Real Property Tax Law mandates uniform and equitable level of assessment for all real property located within the assessing unit (i.e. the Town of Constantia); and

WHEREAS, computer- assisted mass appraisal systems, technical advice, and financial assistance are available by cooperative agreement with the NYS Office of Real Property Services and Oswego County Real Property Tax Service agency; and

WHEREAS, the last town-wide reassessment of real property located within the Town of Constantia took place in 1988, and

WHEREAS, the Town Board believes that a reassessment is necessary to comply with Section 305 of NYS Real Property Tax Law;

NOW, THEREFORE, upon motion of Board member Richard Colesante, seconded by Board member Daniel Buck, it is and shall hereby be:

RESOLVED, that the Town Board does hereby agree, in conjunction with the NYS Office of Real Property Services and the Oswego County Real Property Tax Services agency, to support the Town's Assessor and his staff in this reassessment; and it is further

RESOLVED, that this resolution shall take effect immediately.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Mr. Metzger made the motion to accept the Dog Control Officers Monthly Report. Seconded by Mr. Colesante.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

The water committee met on June 8, 2006. Eric Pond, Barton & Loguidice gave a water summary to the board. The proposed North Shore Water System facilities will provide public water to approximately 1200 residential, commercial, and institutional customers within the Towns of West Monroe and Constantia, and will serve as well as an emergency backup supply for the Village of Cleveland. The project will replace numerous individual contaminated wells, and several small community water systems with past health code violations.

The project will ultimately allow OCWA to "Loop the Lake " by providing an uninterrupted 16" diameter transmission main from Central Square to the Town of Vienna along NYS Route 49 corridor. This second water transmission route will greatly enhance system reliability, water quality, and eliminate the capacity restriction currently experienced by communities on the east end of Oneida Lake.

The NSWS will be the culmination of several key projects: the Toad Harbor/ Constantia Water District, the Bernhards Bay Water District and the Cleveland/Vienna Interconnection. Combined, the proposed facilities will include approximately 50 miles of new main; a 500,000 gallon elevated water storage tank and two booster pump stations. Construction of the Toad Harbor/Constantia Water District facilities is anticipated to commence in 2008, followed by construction of the Bernhards Bay Water District Facilities and Cleveland/Vienna Interconnection. Completion of all North Shore Water System facilities is anticipated in 2012. Total project costs are estimated to be in the range of \$15 to \$20 million dollars.

The projects that comprise the NSWS won't be feasible if they cannot be delivered at a reasonable cost to affected town residents. The Town of Constantia will continue to aggressively seek state and federal funding assistance to make this important project a reality. Initial estimates, assuming DWSRF hardship financing, have indicated typical user costs could be between \$520 and \$560 per year.

66% of the respondents to the water survey were in favor of pursuing water service to their properties. Residents would be responsible for service installation from the main water lines to their homes and the typical cost for such to a single family home would be; Standard / \$900 - \$1200 per 50' private service lateral installation and with Meter Pit \$1600 - \$1900. Meter Pits are used for distance installations or when water lines cannot be prevented from freezing in the winter. Water hookup is not mandated, but property owner in the district will have to pay the debt service charge even if they choose not to hook up. This would be approximately \$334 a year.

Mr. Pond stated that August 11, 2006 was the deadline for the IVP application and no commitment to move forward need be made to file such application. The town will hold informational meetings on water service in

the future. Mr. Sakonyi announced Assemblyman Townsend has appropriated \$16,500 to the town for the water project. He is currently trying to meet with Senator Wright to discuss obtaining additional funding for this project.

Planning Board, Board of Appeals and Water Committee meeting minutes were given to board members and are on file in the Town Clerk's Office. Mr. Gilkey, planning board chair stated the Pease Road Gravel Bed issue was still in review with the DEC. They have received a sub-division application from Christmas & Associates for property off Lewis Road and will be working on that.

Supervisor Sakonyi stated he took offense to the wording in the addendum to the March 28, 2006 Planning Board minutes. It stated during discussion the Town Board members interrupted the Planning Board repeatedly, challenging their authority to respond to DEC without Town Board approval. The Town Board members contended that they have veto authority over planning board actions. Dan Buck criticized the Planning Board for slow movement and accused it of holding up the applicant. Jim Bryant seemed to suggest that he could resolve the snowmobile trail issue with Oswego County. The Town Board members and the County Legislator seemed to be advocating for the applicant and aggressively criticizing the Planning Board's procedures. Discussion was then held between some town board and planning board members with regard to the Pease Road issue, lack of contents in planning board minutes and conflicts of interest. Mr. Kelsey questioned the alternate planning board member being allowed to vote at planning board meetings. An alternate planning board members position is for the purpose of substituting for a member in the event such member is unable to participate because of a conflict of interest Kelsey stated.

Mr. Sakonyi made the motion to reopen the public hearing to review the Pease Road Gravel Bed issue for the purpose of determining whether there is a basis of removing one or more members of the Planning Board due to a conflict of interest and impropriety. The hearing will be held August 11, 2006 at 6:30 p.m. in the Town Hall. Seconded by Mr. Buck.

Carried	Sakonyi - yes	Colesante - no	Metzger - no
	Kelsey - yes	Buck - yes	

On June 28, 2006 board members received a memorandum from town Attorney, Warren Bader's office in regard to Constantia Planning Board members removal and conflict of interest and a Town Board members conflict of interest. On July 18, 2006 board members were given a memorandum from Councilman Kelsey in regard to the Ridiculous memorandum dated June 28, 2006. Both memorandums have been attached in their entirety to these minutes.

Mr. Colesante questioned how and who will run the public hearing to get the true facts and answers with regard to planning board members and the Pease Road issue. Who will make a determination? He asked do we really want to put the town through this? Mr. Kelsey stated we would use Roberts Rules of Order and Mr. Sakonyi will chair the hearing and we will listen to testimony and facts presented. It was determined the town board would make the final determination with regard to the removal of planning board members.

Mr. Auringer stated the Board of Appeals held a hearing on July 11th and a variance was granted to Richard Patten. Mr. Kelsey made the motion to accept such report. Seconded by Mr. Buck

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	

Attorney Bader was given a copy of a Senior Citizens Program Agreement to review and asked what kind of activities would be appropriate to fund under municipal law. Section 95, General Municipal Law provides that funding can be made for the best interest of the welfare of senior citizens. The contract will be brought up at the August meeting.

Correspondence and Communications;
NIMS Training
Tug Hill Local Leaders Institute
Introduction to Grant Writing
State Comptroller Brunch Invitation on August 25

Paul Baxter reminder the board of the workshop to be held on town finances.

Bill Hoefert suggested a tape recording system be purchased to be used for recording minutes of town committee and board meetings.

Bob MacNamara stated a lot needed to be done in town and he appealed to the board members to move forward as people are ready, willing and able to help. Mr. Buck stated he would like to see the Planning Board work in a more positive attitude.

A resident questioned if it were correct that the town attorney had not found any conflict of interest by planning board members and was there sufficient cause to hold a public hearing. He felt the board was going down a slippery slope with this issue.

Mr. Fry asked the board for approval to purchase a NFPA Disk in the amount of \$625 for the code office and 200 stamps. The money was in his contractual account and approval was given. There are approximately 200 outstanding permits and Mr. Fry will be mailing notices to property owners for those permits in an effort to see that they are closed. He stated the Christmas & Associates subdivision application would be a substantial review for the planning board and recommended Barton & Loguidice be contacted for a free estimate of services they could provide to assist the planning board in this review. Dan Buck questioned the need for an engineering firm to get involved with a subdivision. He was told this would be very involved, encompassing many wetlands. Mr. Kelsey stated he has received no more complaints about the code office, only compliments and hoped things would work out.

Mr. Colesante made the motion to adjourn. Seconded by Mr. Metzger.

Carried	Sakonyi - yes	Colesante - yes	Metzger - yes
	Kelsey - yes	Buck - yes	