

Minutes of the Constantia town board meeting held July 17, 2007 at 7:30 p.m. in the town hall.

Present; Ronald Sakonyi - supervisor  
Richard Colesante, John Metzger, Andrew Kelsey,  
Daniel Buck - council members  
Janet Warford - town clerk  
Others present; Warren Bader - town attorney  
John Whitney - highway rep.  
Mike Marr - water committee chair  
Nancy Butler - supervisors clerk  
Charles Gilkey - planning board chair  
John Dunham - ceo  
Paul Auringer - board of appeals chair

Mr. Buck made the motion to accept the June 2007 minutes as submitted to the board. Seconded by Mr. Metzger.

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

Mr. Buck made the motion to transfer \$27,860 from account A5010.1 Highway Supt. P.S. to A5010.4 Highway Admin C.E. Seconded by Mr. Colesante.

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

Vouchers submitted;

General fund claims number 182 – 220 as set forth on Abstract no. 7, dated 7/17/07.

Highway fund claims no. 84 – 95 as set forth on Abstract No. 7, dated 7/17/07.

Mr. Metzger made the motion to pay the vouchers as submitted. Seconded by Mr. Colesante.

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

Mr. Metzger made the motion to accept the Town Clerk's Monthly Report for June 2007. Seconded by Mr. Buck.

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

Mr. Kelsey made the motion to accept the Supervisors Report as presented through June 30, 2007. Seconded by Mr. Colesante.

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

Mr. Colesante made the motion to change the board meeting night in September from the 18<sup>th</sup> to the 19<sup>th</sup>, because of primary election being held on the 18<sup>th</sup>. Seconded by Mr. Metzger.

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

Discussion was held regarding the petition presented requesting street lighting on Gale Road. The Village of Cleveland has agreed to lighting on 7 poles on their portion of the road. The town would than do 7 poles. The cost would be \$165 per light pole according to Supervisor Sakonyi. He also stated residents on Martin Road would be presenting a petition requesting a lighting district be formed there. This matter will be tabled until a petition is received from Martin Road residents and than the board will move forward with forming districts for both roads. Mr. Kelsey requested that total costs per residence be provided in writing by the next board meeting.

Supervisor Sakonyi read a letter received from NYS Environmental Facilities Corporation regarding the Drinking Water State Revolving Fund. The town recently applied for this funding for a new distribution system, pump station and storage tank with an interconnection with the Town of West Monroe. Our hardship application has been reviewed and our project is eligible for a \$2,000,000 grant and an \$11,960,500 interest-free financing for a 30-year term. This proposed funding package results in a projected service charge of \$543. If the final project costs exceed \$14,000,000, the project will be ineligible for hardship financing.

Mike Marr, Water Committee Chair presented to the board the Petitions circulated by the committee requesting formation of the Constantia Water District. He stated the assessor has verified the amounts of assessed value of the properties in the district. The district will have approximately 864 parcels. The total Assessed value of the district using the latest 2007 Final Assessment Roll is \$96,126,086.

The breakdown of the petitions is as follows:

Petition	Assessed Value	% Total
Yes	\$54,544,100	56.74%
No	\$14,918,400	15.52%
C	\$592,500	0.62%
E	\$8,271,486	8.60%
NA	\$12,500	0.01%
T	\$386,500	0.40%
BLANK	\$17,400,600	18.10%

It was noted the Town of West Monroe would/should be operating on a parallel track with us. Discussion followed. Mr. Colesante made the motion to accept the petitions from the Water Committee contingent on Assessor Wheeler certifying that resident owners signing the petitions exceeds 50% of the total assessed value of the taxable property in the District. Seconded by Mr. Metzger.

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

Richard Colesante moved and John Metzger seconded the following resolution.

WHEREAS, the Town Board of the Town of Constantia (the "Town Board" and the "Town", respectively), in the County of Oswego, New York, has received a petition pursuant to Article 12 of the Town Law, for the formation of the Constantia Water District in an area bounded and described in Schedule "A", on file in its entirety in the clerk's office, which petition is signed by owners of taxable real estate property situate in the proposed District, owning in the aggregate at least one-half of the assessed valuation of all the taxable real property of the proposed District, as shown upon the latest completed assessment roll of said town, and including the signatures of resident owners of taxable real property owning taxable real property aggregating at least one-half of the assessed valuation of all the taxable real property of the proposed District, owned by resident owners according to the latest completed assessment roll; and

WHEREAS, said petition purported to describe the boundaries of the proposed District in a manner sufficient to identify the lands included therein as in deed of conveyance and was signed by the petitioners and acknowledged or proved in the same manner as a deed to be recorded; and

WHEREAS, the proposed District is bounded and described in Schedule "A" and

WHEREAS, following preparation of a map, plan and report by Barton & Loguidice, P.C. competent Engineers duly licensed by the State of New York, for the proposed formation of said District, and the construction of the water system therein, consisting generally of the installation of approximately 4 miles of new 16-inch ductile iron water main, 8 miles of new 12-inch ductile iron water main, and 10 miles of new 8-inch ductile iron water main, along with a new 500,000 gallon water storage tank to be constructed to provide adequate storage and fire protection for the users within the proposed Constantia Water district, all in accordance with the Map, Plan and Report submitted and on file with the Town Clerk of the Town of Constantia, including land or rights in land, original equipment, machinery, furnishings, fittings, connections, fill, services, appurtenances and related site work, to be installed as described therein (the "water improvement") in the Town of Constantia, said map, plan and report are now on file in the Office of the Town Clerk; and

WHEREAS, the Town Board will give due consideration to the impact that such construction in said District may have on the environmental and on the basis of such consideration, the Town Board will determine the environmental impact, if any, to be caused by such construction under the State Environmental Quality Review Act "SEQR"); and

WHEREAS, the Town Board has determined that a long environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, The said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the maximum amount proposed to be expended for the construction of the Water Improvement is estimated to be Eleven Million Five Hundred Thousand and 00/100 Dollars (\$11,500,000.00), and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefits conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, all as shown in the attached financing plan (Schedule B) as set forth in said Map, Plan, Report.

NOW, THEREFORE, BE IT DETERMINED, the estimated cost of the District to the "typical property" (as defined in the Town Law) is \$531.00 (taking into account the capital/debt service, operation, maintenance, user fees and county (OCWA) fees, annually; and that the Town Board has therefore caused to be prepared and filed for public inspection with the Town Clerk, a detailed explanation of how such estimates were computed; and it is further

ORDERED, that a meeting of the Town Board of the Town be held at A.A.Cole Elementary School, 1683 State Route 49, Constantia, New York on August 21, 2007 at 7:00 p.m. to consider the formation of the proposed District herein referred to and the construction of such water improvement therein, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and it is further

ORDERED, that the Town Clerk publish a least once in the Citizen's Outlet, a newspaper having a general circulation in the Town and hereby designated as the official newspaper of The Town for such publication, and post on the sign board of the Town maintained pursuant to Subdivision 6 of Section 30 of the Town Law, a copy of this order, certified by said Town Clerk, the first publication thereof and said posting to be not less than 10 nor more than 20 days before the date of such public hearing; and it is further

ORDERED, that the Town Clerk file a certified copy of this order with the Comptroller of the State of New York on or about the date of publication of a copy of this order. The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

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

WHEREAS, Volume 6 N.Y.C.R.R., Section 617.3 and 617.6 of the Regulations relating to Article 8 of the Environmental Conservation Law of New York (SEQRA), requires that as early as possible and within twenty (20) days after submission of a completed application/action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, the Town Board of the Town of Constantia, at its regularly scheduled meeting of July 17, 2007 reviewed the Petition which action, consists of the construction and placement of approximately 4 miles of new 16-inch ductile iron water main, 8 miles of new 12-inch ductile iron water main, and 10 miles of new 8-inch ductile iron water main, along with a new 500,000 gallon water storage tank to be constructed to provide adequate storage and fire protection for the users within the proposed Constantia Water District, all in accordance with the project map, plan and report submitted and on file with the Town Clerk of the Town of Constantia.

NOW, THEREFORE, BE IT RESOLVED, on motion by Richard Colesante, seconded by Andrew Kelsey, that the Town Board of the Town of Constantia hereby determines that;

The following are involved and/or interested agencies in connection with SEQR review listing (see Schedule A) Boundary Description Constantia Water District.

The action is a Type I action;

The Town Board of the Town of Constantia shall act as lead agency;

The action will require the submission of a Long form Environmental Assessment Form to provide information with regard to the environmental issues pertinent therein; and it is further

RESOLVED; that the Town Board of the Town of Constantia hereby shall notify all agencies, interested/involved, that it shall be lead agency for this action unless it receives written objection to this determination within thirty (30) days from the date of mailing of such notice.

The question of the enactment of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

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

John Whitney reported the pick-up truck has been ordered and should be delivered in 14 to 16 weeks and the highway department has been cutting trees with the county. The highway department currently pays for a pager, which does not work in our area and a truck phone. We have no contracts for these and Mr. Whitney suggested the town purchase a cell phone for the highway superintendent's use. This would save the town money on a yearly basis. Mr. Metzger made the motion Mr. Whitney cancel the pager and truck phone and replace them with a cell phone. Seconded by Mr. Colesante.

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

The appointee for Interim Highway Superintendent did not sign the Oath of Office book, so this position will be left vacant for the remainder of the year.

Mr. Colesante addressed a garbage problem they are having at Taft Bay Park. There is a carry in/ carry out policy in effect there, but people are not doing this. The park board is contemplating charging double for a pavilion rental and refunding half the fee if the area rented is left clean. Discussion followed. Carol Kelsey recommended volunteer help be used in the park. The pavilion reservation form will be revisited and this matter will go back to the park commission for further discussion.

Mr. Metzger made the motion to accept the Code Enforcement Officers Monthly Report for June 2007. seconded by Mr. Buck.

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

Mr. Colesante made the motion to accept the Highway Department report. Seconded by Mr. Metzger.

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

The Supervisor read the Assessor's Monthly Progress Report.

The Assessor's term of office expires September 30, 2007. Pursuant to Real Property Tax Law } 310, the appointed assessor has a six year term of office. The next term will begin October 1, 2007 and end September 30, 2013. Mr. Colesante asked what the board plans to do relative to maintaining what has been done with the current reassessment. This issue needs to be determined he stated. Mr. Buck stated there was a town board meeting attendance issue with the assessor. This matter has been addressed. Mr. Kelsey made the motion to advertise the assessor position. Discussion followed. There being no second Kelsey dropped the motion.

Mr. Colesante made the motion to re-appoint Warren Wheeler to the Assessor's position with this term of office 10/1/07 through 9/30/13.

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

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

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

Mr. Colesante made the motion to accept the Dog Control Officer's Monthly Report. Seconded by Mr. Buck

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

Mr. Gilkey, Planning Board Chair stated they are presently working on a site plan review for the proposed General Store in Bernhards Bay, the DEC is still reviewing the Pease Road issue and, sub-division revisions are forthcoming. Mr. Metzger made the motion to accept the Planning Boards Report. Seconded by Mr. Buck.

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

The Board of Appeals minutes of June 5, 2007 in regard to a variance application from David Smith were read. The Board of Appeals tabled this issue until additional information became available at a meeting set for July 3. Mr. Smith did not show up for the meeting on the 3<sup>rd</sup>. Mr. Kelsey stated that as long as Mr. Smith was just building a garage, no variance should be required as long as he does not encroach on the driveway. It was noted there was a clear intent to build a home, so this has to be treated as a variance required. Discussion followed.

Mr. Buck stated the Land Development Law must be addressed before water and sewers. Section 410, Density should be amended where sewers are available; Mr. Metzger made the motion to accept the Board of Appeals minutes. Seconded by Mr. Buck.

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

Mr. Colesante made the motion to accept the Justice Report. Seconded by Mr. Metzger. It was noted funds received monthly should be on the report.

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

Carol Kelsey questioned the town paying for the code officer's shoes. She resented her tax money going for this. She was told they are safety shoes and the town also pays for the highway department's safety shoes. She also asked when Frenchman's Island had become state property and posted. This property was sold to the state several years ago. Several agencies are looking into the posting of this property and are looking forward to opening this property again for public use.

A resident questioned the CEO's mileage for the month of June. It was 335 miles.

John Dunham, CEO stated that safety shoes are bought by the town. The town did not pay for his jacket, hardhat, or safety glasses.

Paul Baxter stated the supervisor and his deputy attended a workshop on auditing town accounts. Tug Hill will be sponsoring a workshop in August on budget preparation.

Wayne Confer stated Mrs. Kelsey's suggestion for using volunteers in the park was excellent and he would be willing to volunteer with her. He also said if people caused problems or left garbage at the park they should not be allowed to return. Mr. Colesante stated organized volunteers have merit and he invited anyone to attend the Park & Recreation Commissions meetings on the 1<sup>st</sup> Wednesday of every month.

Mr. Kelsey made the motion the board go to executive session to discuss a personnel issue. Seconded by Mr. Metzger. Carried

Following the executive session the monthly board meeting was called back to order.

Mr. Colesante made the motion authorizing Supervisor Sakonyi to enter into contract with Cynthia Webb for services as Road Maintenance Supervisor for the remaining portion of this year. Seconded by Mr. Buck.

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

Mr. Metzger made the motion to re-appoint John Whitney, Deputy Highway Superintendent for the remainder of 2007. Seconded by Mr. Colesante.

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

Mr. Kelsey made the motion to adjourn, seconded by Mr. Buck.

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