

Minutes of the Public Hearing held August 21, 2007 at 7:00 p.m. at Aura A. Cole Elementary School to consider the Formation of the Constantia Water District and the construction of such water improvement, and to hear all persons interested in the subject.

Present: Ronald Sakonyi - supervisor  
Andrew Kelsey, Daniel Buck, Richard Colesante - council members  
Janet Warford - town clerk  
Others present: Warren Bader - town attorney  
John Langey - attorney, Costello, Cooney & Fearon  
Eric Pond - representative, Barton & Loguidice  
Mike Marr – water committee chair  
Absent: John Metzger - council member

Supervisor Sakonyi read a letter from Assessor Wheeler which stated he has had the opportunity to review the information submitted to him in regards to the proposed water district and he can certify that the petitions that are in favor comprise 56.74% of the total assessed value within the district.

There are 864 parcels in the proposed district; of those 649 (200 code) are residential owner improved property, with a total assessed value of 77,452,700. There are 372 residents that have signed the petition in favor of the water district that make up a total assessed value of 49,628,100. Wheeler can certify that the 372 residents in favor of the water district make up 64.08% of the total assessed value of the 649 residential properties located within the proposed district.

Mr. Sakonyi then read a letter he had mailed to all those that had signed the petition favoring the proposed water district encouraging them to attend the public hearing and let their voices be heard, as our vision for the future will depend on the outcome of the town boards vote on this issue. This project was started in January 2006 and grant money from Senator Wright and Assemblyman Townsend have been provided. We have become eligible for hardship funding for a 2,000,000 grant and 11,960,000 interest-free financing for a 30-year term. Sakonyi is also planning on applying for other grants to assist senior citizens and low-to-middle income families for hook-up charges.

Mr. Kelsey's memo to the Town Board dated August 17, 2007 was addressed. He thought the board was all in agreement that they needed to comply with the requirements of Town Law 191 with regard to the formation of a water district by petition. Specifically, the requirements that, "the petition shall include the signatures of resident owners 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," seems to have been replaced with the very different standard of residential owner improved property.

Some examples were given in Kelsey's memo to illustrate the point. Given the fact that this is a process in which signatures are weighed based on assessed valuation we have no way of knowing how such a departure from the requirements of Town Law 191 will alter the outcome.

Mr. Wheeler has stated that he had no way of knowing which owners were residents and which were not. Mr. Kelsey recommended a list of the property owners within the district be compared to a voter registration list, whether this be done by the water committee, the town board or someone else it needs to be done even if it means doing it manually. Persons appearing on the assessment roll, but not the voter registration roll should be contacted to determine that they are or are not residents of the district.

There is another problem. There are several owners of more than one parcel who signed in favor of some of water for some of their property but not others. It appears that such people were lead to believe that this was the appropriate place to indicate their preference for water on some parcels and not others. It looks as if they did not understand that the choice is between water for all their parcels within the district and water for none of their parcels within the district.

These people should be contacted and given the opportunity to either sign for all parcels, or withdraw their signatures from those for which they signed. Given the all or nothing outcome, it is too burdensome on the assessor's office to not only have to come up with the total assessed in favor as well as the taxable real property of the proposed district owned by resident owners, while at the same time going through parcel by parcel for each owner who knowingly cancel themselves out in such a manner.

Kelsey assumes in the memo the board will not attempt to approve the district formation at this time and hopes we take the opportunity at the meeting to make clear to all involved in the process just what exactly is required, what each party is responsible for doing, so that we are not forced to go over this same ground once again.

Eric Pond of Barton & Loguidice the engineering firm working on the water project gave a brief presentation on the Constantia Water District formation and costs involved. After board approval an inter-municipal agreement with the Town of West Monroe will have to be finalized. A bond resolution passed, the DWSRF application submitted, environmental fieldwork permitting done and then the design and construction of facilities. Ground braking is proposed for early 2009 and construction will be approximately a year and a half.

Audience members were given the opportunity to ask technical questions to Mr. Pond.

The following people signed up to speak at the hearing:

Carolyn Costello, Superintendent CSCS – she came to garner information for herself regarding the concerns and issues in the formation of the water district and spoke about the minimal increase in cost to the school for water. All other schools in the district have public water.

Brent Bowden, Principal, A.A.Cole Elementary – stated when the power goes out at the school there is presently no water and in these situations if public water were to become a reality it would be a more sanitary environment.

Bobbi Harrington - questioned how many property owners had had their water tested and how safe is the well water that we are using.

Jen Wafer – spoke in regard to fire insurance costs. There would be a 20-30% savings for this in the water district.

Pat Wirth - commented she would love to have a washer in her home and could do so with a public water system.

There being no further comments Supervisor Sakonyi stated the public hearing would remain open and be reconvened on September 11, 2007, 7:00 p.m. at A.A.Cole Elementary School, with a Special meeting to follow.

Mr. Kelsey questioned the supervisor as to the letter he sent using the Town of Constantia as a letterhead to all people who signed in favor of a water district on the petition circulated by the water committee. He stated the supervisor should be representing all the people in the proposed district. Mr. Sakonyi stated he sent the letter as an individual, not on behalf of the town and used no town funds for paper, postage, etc.

The August 21, 2007 monthly town board meeting was opened.

Present: Ronald Sakonyi - supervisor  
Andrew Kelsey, Daniel Buck, Richard Colesante - council members  
Janet Warford - town clerk  
Other present: Warren Bader - town attorney  
Charles Gilkey - planning board chair  
John Whitney - highway rep.  
John Dunham - ceo  
Paul Auringer - board of appeals chair  
Absent: John Metzger - council member

Mr. Colesante made the motion to accept the minutes of the July meeting as presented to the board.  
Seconded by Mr. Buck.

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

Vouchers submitted:

General fund claims no. 221 – 251 as set forth on abstract no.8, dated 8/21/07.

Highway fund claims no. 96 – 102 as set forth on abstract no.8, dated 8/21/07.

Mr. Kelsey made the motion to pay the vouchers as submitted. Seconded by Mr. Buck.

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

Mr. Colesante made the motion to accept the Town Clerk's Report as submitted for the month of July 2007.  
Seconded by Mr. Buck.

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

Mr. Colesante made the motion to accept the Supervisor's Reconciliation Summary ending July 31, 2007.  
Seconded by Mr. Kelsey.

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

The supervisor read the Assessor's Monthly Progress Report. The Town of Constantia recently was awarded an Excellence in Equity Award by the State of New York Office of Real Property Services. The assessor was trying to get a meeting with State and County officials to plan our next course of action. However, due to the amount of Small Claims Assessment Review cases he was unable to secure a time. However we still have plenty of time, and that meeting will take place sometime before November.

Mr. Wheeler has taken the liberty to fill out the application requesting state aid in the amount of \$5.00 per parcel for the recent revaluation. The application will be submitted to NYS Office of Real Property at his next monthly meeting with them.

Mr. Colesante made the motion to accept the Assessor's Report. Mr. Kelsey asked for clarification as to the \$5.00 per parcel payment and questioned what other options are available. The assessor will be asked this. Mr. Kelsey seconded the motion.

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

Mr. Whitney reported the Federal Mine & Safety inspection has been done and all went well. The OSHA inspection was also done and minor corrections were made. Paving will begin 8/22 on Roosevelt, Salt and Simmons Roads. Deer Track Lane and Kellar Drive will be worked on, time permitting. A new plow has been ordered and a list of highway equipment to be put out for bid will be made up. There were no state bid for new Ferris mowers this year, so the town did not put ours out for bid. Mr. Kelsey made the motion to accept the highway report. Seconded by Mr. Colesante.

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

Taft Bay Park will close September 4<sup>th</sup>. The pavilion reservation form is being redone. Fees will increase to rent the pavilion, as this seems to be the only way to control misuse of the pavilions. The Park & Rec. Commission will make recommendations to the board with regard to handling vandalism in the town park. Mr. Kelsey made the motion to accept the park report. Seconded by Mr. Buck.

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

John Dunham, CEO gave his monthly code report and stated of nine septic applications sent to the county eight had to be redesigned. There is a 2-4 week turn around to obtain a septic permit. Septic issues are becoming a large problem. Mr. Colesante suggested a paper be made available through the code office listing the procedures that must be taken to obtain a septic permit. He questioned only three towns in Oswego County going through the county to have septic systems ok'd. Mr. Gilkey stated some towns and villages have sewers and the state mandates the county look at septic plans or towns have to hire their own engineer on an as needed basis or on retainer to do this. This could be very costly. Mr. Dunham stated the engineer who draws the septic plans signs off on the completed work. Dunham visits the septic work site once or twice.

Mr. Kelsey made the motion to accept the CEO Report. Seconded by Mr. Buck.

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

Mr. Gilkey stated the Planning Board was reviewing site plans for the Bernhard's Bay Country Store and the Ellis Insurance Agency. The Pease Road Gravel Pit is still in DEC committee review. A resignation has been Received from Randy Kieffer as alternate on the planning board. Discussion was held in regard to the number of handicap spaces required at the Ellis Agency new location. For up to twenty-five car spaces, one is required. They will be adding an additional one by the front door for an overload.

Mr. Colesante made the motion to accept the planning boards report. Seconded by Mr. Kelsey.

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

Mr. Auringer stated the Board of Appeals recently held two variance hearings and approved both applications. Three more hearings will be held on September 4<sup>th</sup>. Mr. Kelsey made the motion to accept the report as submitted by Auringer.

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

Mr. Colesante made the motion to re-appoint John Johnson to the Board of Assessment Review, effective 10/1/07 – 9/30/12. Seconded by Mr. Buck.

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

The supervisor gave the Justices Monthly Report. Mr. Kelsey requested that the financial portion of their reports also be given monthly. It was noted these reports are on the state comptrollers web site. Mr. Colesante made the motion to accept the report. Seconded by Mr. Kelsey.

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

Paul Baxter stated the supervisor had attended the Budget Workshop in Albion and that the Local Leader Institute will be held again.

Randy Lisi, N. Auringer Road asked the board if the town could improve a quarter mile section of road where his house is located. All his neighbors are in favor of this request. This portion of the road is private. It was abandoned several years ago. Discussion followed. Mr. Lisi was told the residents on the road would have to petition the board to take over the road after it were brought up to standards acceptable to the town. There is a file in the clerk's office pertaining to this road and Attorney Bader will review its contents.

Mr. Curinga, Doris Park Drive spoke to the board about run off on his property every spring. He has come before the board before with this problem. Discussion followed. It was recommended he contact the DEC about storm water prevention.

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

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