

Minutes of the Public Hearing reconvened September 11, 2007 at 7:00 p.m. at A.A.Cole Elementary School regarding the Formation of the Constantia Water District.

Present: Ronald Sakonyi - supervisor

John Metzger, Andrew Kelsey, Daniel Buck,

Richard Colesante - council members

Janet Warford - town clerk

Others present: Warren Bader - town attorney

John Langey - attorney, Costello, Cooney & Fearon

Warren Wheeler - assessor

Eric Pond - representative, Barton & Loguidice

Mike Marr - water committee chair

Supervisor Sakonyi stated there has been some confusion in the paper as to the date of this public hearing. The legal notice and school reservation for such were correct. A typo as to the date occurred in the Citizen Outlet and they have apologized for that. This public hearing is in continuation from August 27, 2007 so the concerns Mr. Kelsey brought forward could be addressed with regard to revalidating three criteria on the petitions passed for the formation of the water district.

Assessor Wheeler has certified the petitions in the following manner:

1. The percent of property owners that are in favor of the water district represent 56.74% of the total assessed value of the water district.
2. The percent of resident property owners that are in favor of the water district represents 67.71% of the total assessed value of all resident owners in the water district. The total assessed value of all resident owned property is \$60,822,700, while the total assessed value of all resident owned property in favor of the water district is \$41,188,100.
3. The percent of resident property owners plus other owned property within the district that are in favor of the water district represent 66.93% of the total assessed value of all resident owners plus their other owned property within the district. The total assessed value of all resident property owners plus their other owned property is \$65,074,300, while the total assessed value of all resident property owners plus their other owned property that are in favor of the water district is \$43,560,400.

It was noted there is a map in the town hall showing properties and how owners of such responded to district formation. Financial assistance and grants are being sought for low to moderate-income individuals to be used for connection fees.

The following people spoke at the hearing;

Beth Schultz – questioned the yes responses for residents on Shacksbush Road stating the majority do not want water. (15 residents responded yes to water Sakonyi stated)

Bobbi Harrington - her well went dry recently and there is a definite need for water.

Pat Cary - questioned where the water tower was going. She did not want it next to her house. (no location has been confirmed, several sites on Kibbie Lake Road, Nicholasville Road or Johnson Road are being considered)

Dave Root – asked if sketching were available regarding to how lines would be laid down private roads (private road infrastructure designs are in the preliminary engineering report) He questioned service laterals and meter pits.

Mr. Kelsey again questioned how the certification by the assessor was arrived at. Discussion followed. Mr. Colesante stated out of 864 parcels in the water district 70% were sampled. 3 to 1 responded yes to the formation of a water district. If errors were made in calculating the certification it would not be enough to impact this ratio. The board needs to look at the big picture by looking at the entire district and in conclusion there is a mandate for water.

Todd Sterling - came to the hearing to hear about the water district, not about percentages. If water is not wanted, he feels he should not have to pay for capital/ debt service assessments.

Sylvia White - stated some residents DO want water on Shacksbush Road.

Tom Schlueter - spoke in favor of water. This is the third hearing and he feels the board should move ahead for the areas children and children's children. The elementary school has to test the water daily and it is the only school in the district without public water. This is a small investment and we should move ahead and join the 21st century.

Carol Sterling - questioned the timing to begin paying for the capital/debt service (assessment would appear on the 2010 county/town bills. There may be a partial assessment in the 2009 taxes)

Pat Wirth - still wants water, so she can have a washer.

Ray Balon – couldn't justify paying higher taxes for something he does not want or need.

Kathy LaVigne – lives near the elementary school and she cannot drink her water or use her washer.

Eric Mayes - questioned service laterals to vacant land.

Bill Hoefert - passed the petitions on Shacksbush Road and feels the town has had the best experts and best advice in proceeding with the formation of a water district. Of the list of wells tested that he has seen, not one passed. We can always find things to continue to nit pick about, but the time has come to move on.

Bill Bellows – questioned the environmental impact of this project and stated at Spruce Grove they have never failed a water test.

Todd Sterling - questioned again the placement of the water tower. He feels water is being forced into his area and he will have to pay for what he won't use.

Mr. Kelsey stated at this point it was too late to change the boundaries of the water district. Daniel Buck said he has supported the formation of a water district, but has always been concerned that the process be done properly and legally. Information has not been provided to the board in a timely manner in his opinion. Engineers design systems and there will always be someone that will not be happy with the outcome, but water is a great asset to the community he said.

Richard Barry - questioned charges for EDU's and how they would be determined (by the town board) and how many meters in a meter pit (1)

Bob Harrington - stated water was good for the town. It was very important to put in a not to exceed cost clause in the final contract. (there is presently an 8% inflation factor built in)

Maureen Richards – questioned if residents would get to vote on over run costs and was told yes by Mr. Colesante. She stated concerns about raising taxes, especially for those on fixed incomes.

Kay Foster - stated the assessor had certified the figures and they are legal, so that should be the end of it and the board should proceed with taking a vote to form the district.

It was noted landowners could put in their own water lines according to specifications that will be provided to them.

A resident stated this has been going on for two years. If the town does not act now the cost will only escalate in years to come. More hearings should not be held; the board has heard it all. He encouraged the board to make a decision by voting and then go on to the next step.

There being no further comments Mr. Colesante made the motion to close the hearing. Seconded by Mr. Buck.

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

Minutes of the special Meeting held September 11, 2007 at A.A. Cole Elementary School.

Present: Ronald Sakonyi - supervisor
John Metzger, 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 - engineer, Barton & Loguidice
Mike Marr - water committee chair

Eric Pond and the board evaluated the Environmental Assessment Form as to the water projects impacts and their magnitude.

Councilman Colesante moved and Councilman Kelsey seconded the Resolution to pass the SEQRA Resolution and Negative Declaration (full context of such resolution on file in the Town Clerk's Office).

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

It was questioned if the Planning Board should have reviewed such. The answer is no.

Mr. Colesante made the motion, seconded by Councilman Kelsey that it is:

RESOLVED AND DETERMINED, that:

4. The petition aforesaid is signed and acknowledged or proved as required by law, it duly complies with the requirements of Section 191 of the Town Law as to sufficiency of signers with respect to the boundaries of the proposed District extension as herein approved and it is otherwise sufficient;
5. All the property and property owners within the proposed District extension are benefited thereby;
6. All the property and property owners benefited are included within the limits of the proposed district; and
7. It is in the public interest to grant in whole the relief sought; and it is further

RESOLVED AND ORDERED, that the said Constantia Water District be established in said Town of Constantia, Oswego County, New York, at a maximum estimated cost of \$11,500,000.00 including construction of improvements therein with an estimated cost of hookup fees approximately \$1250.00 and an estimated cost of the District to the "typical property" (as defined in town law) of \$531.00 annually, an to be of the description and boundaries as herein before described, and the plan of financing includes the issuance of bonds of the Town to finance said costs and the assessment, levy and collection of special assessments from 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 benefit conferred upon the same, to pay the principal of and interest on said bond as the same shall become due and payable; and it is further

RESOLVED AND ORDERED, that all costs and expenses for establishing said District and constructing any water service facilities which may be installed within said District shall be annually assessed, levied and collected from several lots and parcels of land within said District extension in the manner provided by law as stated herein; and it is further

RESOLVED AND ORDERED, that the Clerk of the Town of Constantia be and she is hereby authorized and directed, on behalf of said Town, to file and record certified copies of this resolution and such other documents or instrument as may be required by law; and it is further

RESOLVED AND ORDERED this Resolution and Order shall take effect immediately. (full context of such resolution on file in the Town Clerk's Office)

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

Mr. Kelsey made the motion the special meeting be adjourned. Seconded by Mr. Metzger.

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