

TOWN OF CONSTANTIA  
**MINUTES– TOWN BOARD – August 17, 2010**  
7:30PM – Constantia Town Hall

Present: Charles Gilkey – Supervisor  
Richard Colesante, John Metzger, Thomas Moran and Frank Tomaino –  
Council Members  
Clare Haynes – Town Clerk  
Warren Bader – Town Attorney

Others Present: Nancy Butler – Supervisor’s Clerk  
Wayne Woolridge – Highway Superintendent  
Karen Ashley – Dog Control Officer  
Robert Mc Namara – Planning Board Chair  
Ken Macari – Board of Appeals Chair  
Ronald Sakonyi – County Legislator  
Paul Baxter – Tug Hill Commission

**CALL TO ORDER:**

At 7:31 Mr. Gilkey called the regular meeting of the Constantia Town Board to order with the pledge of allegiance.

**PUBLIC COMMENT:**

Mr. Bellows is concerned that the taxpayers were not notified in time that the debt service will be on the January tax bill. Mr. Bellows runs a trailer park in Town and at this point does not have enough time to recoup the amount that will be on this tax bill, because of regulations, he needs a three month timeframe to notify his residents that their rent is going up. The Board is currently working on EDU charges for trailer parks, vacant properties and multi unit buildings. Mr. Colesante explained that the estimated date that water would be available has not changed, this date has been discussed many times, the Town could have put the debt service on 2010 Town and County tax bill but chose to wait until 2011. Sometime in 2011 everyone in the water district will have access to public water. All contracts have been signed and the companies have 420 days to complete work.

The Board was asked by Mr. Barnello when the completed packet will be ready so homeowners can look at the specs for water hookup. The packet will be mailed to homeowners a few weeks in advance of when the curb stop is ready to be installed. The packet has a lot of information, it also includes a card will need to go back to OCWA before water hook up can happen. It was suggested that a few copies be made available to the Town Clerk so people have a chance to review them sooner rather than later.

**AMBULANCE:**

Mr. Colesante and Mr. Tomaino had another meeting with North Shore Ambulance, Mr. Jones from Oswego County Emergency Management was in attendance. He further explained the certificate of need and some cost controlling items. He would like to see a county wide ambulance service, this could be the answer to cost controlling. He will be contacting the Oswego County Town Supervisors to give a presentation. There were still a few questions that need to be answered by North Shore Ambulance, but at this time no additional meetings were set.

**COUNTY LEGISLATURE:**

Mr. Sakoni gave the board an update on the County Legislature’s activities:

- 2011 Budget Development Tentative calendar has been published, Public Hearing is scheduled for December 9, 2010
- NYS is withholding reimbursement to counties, at least \$12 million to Oswego
- NYS is passing more indirect cost of Medicaid to the county
- Home rule requests are still on hold in NYS, causing serious problems for NYS counties wrestling with sales tax and other budget issues
- NYS Governor is still pushing for local property tax cap while State Legislature is refusing to reform and contain costs they are passing on to counties that continue to be the primary cause of local tax increases

**WATER:**

Constantia & Toad Harbor Water Districts Construction

- Contract No. 1 (Water Mains - NYS Route 49) has installed nine (9) out of ten (10) horizontally bored highway crossings, four (4) out of five (5) directionally drilled creek crossings and approximately 33,600 linear feet of ductile iron water main and appurtenances (~68%).
- Contract No. 2 (Water Mains - County, Town & Private Roads) proposed schedule indicates commencement of construction on August 30<sup>th</sup>.
- Contract No. 3 (500,000 Gallon Elevated Tank) subcontractors have commenced site work, including installation of water main and electrical service at the tank site.
- Contract No. 4A (Pump Station – General Construction) is currently installing floor slab, B&L to inspect rebar tomorrow morning, concrete pour will be scheduled for later this week or early next week.
- Contract No. 4B (Pump Station – Electrical Construction) is working with Contract No. 4A to place conduit in floor slab.

Waterline Easements / Property Acquisition

- There are currently 30 outstanding easements including 11 in West Monroe and 19 in Constantia.

Proposed Bernhards Bay Water District

- B&L and Constantia Supervisor had a conference call with USDA RD on August 3, 2010. The estimated funding package for the revised Pre-Eligibility Determination (PED) is \$3,774,000 loan and \$421,000 grant. The project received 85 priority points, which would not likely be funded in fiscal year 2011 unless other projects drop out. However, the project should receive an additional 15 priority points for category D1 (Project to merge ownership, management and operations of smaller system for more efficient management and economic service) for the Wynn’s trailer park and could receive up to 15 additional discretionary points by providing an asset management plan (sustainability – 5 points), strategic planning (community development – 5 points) or achieving project readiness (environmental complete, District formed – 15 points).
- B&L is awaiting input from the Town Board on proposed District Boundary that was distributed at the last meeting to finalize Map, Plan & Report.

September 5<sup>th</sup> is the date that the Town has to get the points up to the target of 115. The higher the points the better chance at funding, the Town does not want to be pushed to 2012 funding.

**MINUTES:**

Mr. Metzger made the motion to accept the minutes of the July 20, 2010 Town Board and the August 3, 2010 work session, seconded by Mr. Colesante.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey - Yes

**VOUCHERS:**

Mr. Moran made the motion to accept the following vouchers as listed on Abstract #8, Dated August 17, 2010:

General Fund	246-282	\$ 17,781.86
Highway Fund	146-157	\$ 24,946.59
Northshore Water District	27-31	\$ 749,271.74

seconded by Mr. Colesante.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**BUDGET TRANSFER:**

The budget transfer that was approved at the last Town Board meeting needs to be voided, A7110.1 Park P.S. does not have enough to cover this transfer. Mr. Colesante made the motion to void the transfer approved at the July 20, 2010 Town Board meeting, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

Mr. Colesante made the motion to transfer \$5,000.00 from A1310.43 CE External Audit and \$1,627.35 from A1620.13 PS to A5132.4 CE Highway Garage. This transfer is necessary to cover the cost of the new boiler. Seconded by Mr. Tomaino.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

Mr. Colesante made the motion to transfer \$895.32 from 1620.13 PS Buildings and Grounds to A5132.4 CE Highway Garage. Seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**SUPERVISOR:**

A motion was made by Mr. Metzger to accept the Supervisor's Report as given, seconded by Mr. Colesante.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey - Yes

A copy of the 2011 budget letter will be sent to all departments on August 18, 2010 with all budgets due back to the Supervisor by September 8<sup>th</sup>. First budget workshop will be on September 23, 2010 at 6:00 pm.

**HIGHWAY:**

The highway department is continuing work on Dutcherville Road, they are about half way completed. They continue to work on cutting trees, mowing roadside and repairing garage buildings. They will start sand screening in the coming weeks.

Mr. Woolridge was asked to supply the Board with copies of the road specs, they need to be approved by the Board before they can be linked to the Subdivision Law. Mr. Moran made the motion to accept the Highway Superintendent's report, seconded by Mr. Metzger.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**TOWN CLERK:**

Mrs. Haynes gave the Board more information to review in regards to the changes to dog licensing system. We are still waiting on the sample local law from the State for review. A motion was made by Mr. Metzger to approve the Town Clerk's Report, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey - Yes

**CODE ENFORCEMENT:**

Mr. Illingworth reported that he has eight active complaints. The unsafe building on Kibbie Lake Road has been partiality boarded up by the owner, second floor still needs to be completed.

Mr. Baxter has worked with Mr. Illingworth to find better pricing on two computers for the Code Enforcement Office, Mr. Baxter was able to find pricing at about 25% less. Both computers can be purchased for around \$2,000.00. Mr. Colesante made the motion to have Mr. Illingworth purchase both computers for the Code Enforcement office for the approximate price of \$2,000.00, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**PLANNING BOARD:**

Mr. Mc Namara reported that the Planning Board has completed the revision to the Subdivision Law, and feels they are prepared to move forward. Mr. Colesante would like the Planning Board to have an informational meeting for the public so people can ask questions before it goes to a public hearing. Mr. Colesante made the motion to accept the final draft of the Subdivision Law received from the Planning Board, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

At the next Planning Board meeting they will be discussing the Land Development Law there are 17 items that need to be addressed, it will be a big project and would like to have priorities, the top three are:

1. New utilities, change lot size
2. Yards and set backs
3. Lot size regulations

They would also like to discuss districts and zoning, one size does not fit all. Hamlet, rural and lakefront, different areas, different rules, this would help the Planning Board come up with a long range plan. There is currently nothing on the agenda, planning on meeting every two weeks. Mr. Moran made the motion to accept the Planning Board's report, seconded by Mr. Metzger.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**ASSESSOR:**

With the passing of the State 2010 – 2011 budget, there is an overhaul to the ORPTS (Office of Real Property Tax Service) aid programs for reassessments. The new aid program – Cyclical Reassessment Aid replaces both Annual and Triennial Aid programs. Rules for this program are currently being drafted, and once they become available I will share them with the Board. Here is what they are proposing.

1. Reappraisal of all property in town at least once during the four year program. During the year of the update, at \$5 per parcel in aid is available if we meet the restrictions. (Very similar to the current restrictions of maintaining 100%)
2. During the other 'off' years we can either trend accordingly to maintain 100% or do nothing and let the equalization rate dictate the assessed value of the town. If we do the latter, than there is no further state aid, however; if we do the former, we may qualify for \$2 per parcel in state aid.

This program has no affect on our current program, and we will still be entitled to state aid for our 2010 assessment roll. Again, the new program is still in its infancy stage, and as the rules and requirements become available I shall fill in the Board.

I received an email from the Barton and Loguidice the other day containing all the properties that have been identified in the newly formed water district. It shows that there are approximately 866 parcels affected by this water district. The property breakdown is as follows:

- Single Family Residence – 554
- Two Family Residence – 12
- Three Family Residence – 2
- Seasonal Residence – 31
- Manufactured Housing (Single Wides) – 33
- Multi Manufactured Housing – 1
- Multi Residence – 21
- Vacant Property – 161
- Commercial – 51

A decision by the Town Board and/or Water Board with respect to unit charges (EDU) needs to be made in order for our office to make sure that the units are placed on the assessment roll for the upcoming 2011 Town and County Bill.

The issues that need to be resolved are, but not limited to; the following:

How will we charge multi residential property? One unit per dwelling, or an adjusted unit charge?

1. How will we charge commercial property, more specifically, Mobile Home Parks?
2. Is all vacant property going to be charged a half unit, or will the Town Board be making a determination as to whether some lots are considered serviceable or non-serviceable?
3. Are there going to be any properties exempt from paying unit charges other than Town owned property?

Once these questions are answered, we will be able to start placing EDU charges on the current file so that the water district can be billed in January. Keep in mind that this information should be decided on and provided to us by mid November in order for us to guarantee placement on the January bill. Mr. Colesante made the motion to accept the Assessor's Report as read, seconded by Mr. Tomaino.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

#### **DOG CONTROL:**

Mrs. Ashley continues to work on the enumeration, working on the Village of Cleveland. Tickets will be given to the dog owners that have not gotten their animals licensed. Mr. Metzger made the motion to accept the Dog Control Officer's Report, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

#### **JUSTICE COURT:**

Mr. Moran made the motion to accept the Justice Report's, seconded by Mr. Tomaino.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

#### **BOARD OF APPEALS:**

There were no activities for the month of July, one item is on the agenda for the August 18, 2010 meeting, this item should be resolved at this meeting. Mr. Moran made the motion to accept the report for the Board of Appeals, seconded by Mr. Colesante.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

#### **TUG HILL COMMISSION:**

Mr. Baxter will be looking into a price for a new computer for the book keeper, the current computer is around 10 years old and needs to be replaced. There will be some ZBA training sessions offered in the next couple of months. Mr. Baxter attended the draft solid waste plan meeting, the County is short on money and this outlines alternatives. The division would like to run as break even or surplus, some options would be to raise the tipping permit fee, closing three or maybe all of the transfer stations or put this responsibility on the towns. None of this will happen in the near future, but is something that we want

to discuss with our legislators. All information is on the Oswego County website, under Division of Solid Waste.

**BOARD COMMENT:**

Mr. Colesante made the motion to accept the Inter Municipal agreement between the Town of Constantia and West Monroe, for the shared paver and seam sealer, seconded by Mr. Tomaino. Full copy of agreement is on file at the Town Clerk's Office.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

At the last Town Board meeting Mr. Scriba asked if there was any public access to Panther Lake, there is not, it is now all privately owned.

The front deck is getting old and broken down, Mr. Alberti gave the Town a proposal for \$1,450.00 to remove and replace entire deck which will include a sign so nothing needs to be attached to the building. The Board had no problem accepting this bid.

Proposed Local Law C and D were tabled until this meeting, there must be a vote so if passed it can be included on the ballot in November. Mr. Tomaino made the motion to accept proposed Local Law C and D, which would change the terms office of the Town Clerk and Highway Superintendent to four year terms, this would be put to public referendum on the November 2, 2010 Ballot, seconded by Mr. Metzger.

Denied: Moran – No Tomaino – yes Colesante – No Metzger – Yes Gilkey - No

EDU water charge will be discussed at the August 31, 2010 meeting at 7:00 pm.

**ADJOURN:**

At 9:58 pm Mr. Moran made the motion to adjourn, seconded by Mr. Metzger.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes