

TOWN OF CONSTANTIA
MINUTES– TOWN BOARD – October 19, 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
Ronald Sakonyi – County Legislator
Paul Baxter – Tug Hill Commission
Michael Parker – Barton & Loguidice

CALL TO ORDER:

At 7:34 Mr. Gilkey called the regular meeting of the Constantia Town Board to order with the pledge of allegiance.

PUBLIC COMMENT:

Ms. Holva-Hughes, Ms. Tryon and Ms. Petro were in to speak to the board and let the public know of their intentions of leasing the Julie Thurston Library. They are very excited at the possibility of opening a Community Center at this location. The future plans would include a skate board park, basketball court and picnic area. They are holding a benefit on Sunday, October 24, 2010 from 10-2 at Ms. Holva-Hughes on County Route 23. They need to come up with a down payment of \$75,000, by November 5th, they are positive they can reach that goal. The Julie Thurston Library Guild is willing to let them use their non-profit name until they can have the time to establish one of their own, which takes about one year. They are asking people to pledge money which will not be collected until they know they are going to make their goal. Any monies made at the benefit will be turned over to the fire department if their goal is not reached. The board wished them luck, Mr. Gilkey offered his help if needed.

WATER:

Constantia & Toad Harbor Water Districts Construction

- Contract No. 1 (Water Mains - NYS Route 49) has completed installation of water main along NYS Route 49 and installed approximately 90% of services.
- Contract No. 2 (Water Mains - County, Town & Private Roads) has installed approximately 50,000 linear feet of ductile iron water main and appurtenances (50%) along Shacksbush Road, Nicholasville Road, Kibbie Lake Road, Redfield Street, Toad Harbor Road and Shaw Road.
- Contract No. 3 (500,000 Gallon Elevated Tank) subcontractors are scheduled to commence construction of foundation next Monday (October 25, 2010).
- Contract No. 4A (Pump Station – General Construction) has commenced block work.
- Contract No. 4B (Pump Station – Electrical Construction) is on hold until pump station building by Contract No. 4A is completed.
- Resolution Authorizing Advertisement for Office Space.

Waterline Easements

- There are currently 5 outstanding easements including 2 in Constantia and 3 in West Monroe.

Water Service Connections

- A mailing has been sent to all residents within the Constantia and Toad Harbor Water Districts explaining the steps required to connect to the public water system. Mailing included OCWA application card, typical water service and meter installation sketches and water rate schedule. These will also be posted on the Town’s website.
- The first phase of testing (3 miles along NYS Route 49 up to boundary between the Towns) has been approved for connection. These residents may contact OCWA to schedule meter installation after they

have returned the application card, installed private portion of water service and had it approved by the Codes Officer.

- It is anticipated that Phase 2 (remainder of NYS Route 49) will be approved for connection within two (2) weeks.

Proposed Bernhards Bay Water District

- The Town is currently conducting an interest survey in the Lower Road portion of the proposed Water District.
- The goal is to review interest survey results at the November Board Meeting and finalize Map, Plan & Report prior to December Board Meeting.

Mailers

- All mailers have been sent to property owners.

Mr. Parker is requesting that the Board pass a resolution to advertise for office space for the inspectors from Barton & Loguidice. They are currently in the trailer that was provided as per contract from North Country Contractors, LLC. North Country has almost completed with their work so the inspectors will need to have office space at a different location. Mr. Colesante made the motion to authorize the Town Clerk to advertise for office space for the site engineers from Barton & Loguidice. Specifications from Mr. Parker to follow, seconded by Mr. Moran.

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

Rural Development does have a grant for installation of water line for individual property owners. This grant looks at income and number of people in house, etc. they must call Rural Development for information.

COUNTY LEGISLATURE:

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

- Tax rate for the county is down \$.09 cents per thousand, some discussion will be held on Legislator raises and a 2.4% department head incentive bonus.
- The Legislature adopted a 5 year plan for the fee schedule for the Department of Solid Waste which will increase residential fees by \$10 per year commencing with 2011.
- Department of Community Development, Tourism, & Planning was awarded \$250,000 to assist low/moderate income households with energy efficiency measures.
- The Legislature approved a budget modification for the Office of Aging to align its 2010 budget with the Senior Nutrition Program Contract.

MINUTES:

Mr. Moran made the motion to accept the minutes of the September 21st, Town Board, September 23rd, September 29th and October 7th work sessions, seconded by Mr. Tomaino.

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

BUDGET TRANSFER:

Mr. Metzger made the motion to accept the following transfers:

\$105.30 from A1990.4 Contingency to A1910.4 Insurance
\$460.02 from A1990.4 Contingency to A7110.1 Park Payroll
\$153.89 from A1620.13 Bldg & Grounds PS to A5132.4 Highway Garage
\$ 63.45 from A3620.2 Code Equipment to A3620.4 Code Enforcement CE
Seconded by Mr. Colesante.

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

VOUCHERS:

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #10, Dated October 19, 2010:

| | | |
|---------------------------|---------|----------------|
| General Fund | 320-352 | \$ 13,384.04 |
| Highway Fund | 167-184 | \$ 83,548.83 |
| Northshore Water District | 40-45 | \$1,640,733.81 |

seconded by Mr. Moran.

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

SUPERVISOR:

A motion was made by Mr. Moran to accept the Supervisor's Report as given, seconded by Mr. Tomaino.
Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

HIGHWAY:

The Highway employees are getting the trucks ready for winter, they just finished up getting enough sand. They have been putting in some driveways, and tying up loose ends before winter.

Two bids were received for 2008 F350 with plow, they are as follows:

Anthony M. Pauldine
190 5th Avenue
Oswego, NY 13126
\$12,222.00

Barry W. Fralick
P.O. Box 371
Marathon, NY 13803
\$18,125.00

Both bids were rejected by the Board.

TOWN CLERK:

Mrs. Haynes gave her report and then told the Board that since the January the monthly average for new dog licenses were 10 per month. In October alone we are at 41 new dog licenses, with Mrs. Ashley doing the enumeration hopefully this trend will continue. Mr. Bader told the board that the new dog law should be available for the November meeting.

Ms. Haynes thanked Mr. Woolridge all his work on the new concrete ramp for the Town Hall, there have been many complements. A motion was made by Mr. Metzger to approve the Town Clerk's Report, seconded by Mr. Colesante.

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

ASSESSOR:

As of the printing of this memo, the County is printing all of our renewal notices for the Enhanced STAR and Senior Citizen Exemptions. We anticipate mailing these renewal forms within the next week or so. The deadline to submit the renewal notice is as always March 1, 2011.

About two weeks ago, it was brought to my attention that there may be property owner's in the Town of Constantia receiving the STAR exemption on property here in Town as well as somewhere else, either in or out of the State. After some investigating we were able to confirm this fact. As a result, we are about to send out 68 letters to STAR Recipients whose property address and mailing address do not match; and ask them to reapply for the Basic STAR on the Constantia property; thereby providing proof that such property is their primary residence. If they do not reapply for the exemption by the March 1, 2011 deadline, the exemption will no longer be in effect.

As most of you know by now, the Annual Reassessment Program that we have participated in the past 4 years has been replaced by the Cyclical Reassessment Program. This new program requires periodic reassessment according to a schedule described in a plan; whereas we would be eligible for up to \$5 per parcel in aid during a reassessment year; and up to \$2 per parcel in aid during any non-reassessment year. I had been asked to explain the options for the Town of Constantia as they relate to our assessments. The way I see it, we have but only two options:

Option 1: We can choose to do nothing; which would mean that we no longer change our assessments to reflect current market value. Although this is an option, it is not one that I would recommend. It would go against everything that we did for the last 4 years.

Option 2: Since we were able to maintain our equalization rate at 100% for the 2010 assessment roll; and the annual program has been changed to cyclical; our 2010 assessment roll will count as a year one revaluation. Under this new plan, we would have to reassess all the property on a given year cycle. My recommendation for the Town of Constantia would be a four year plan, where year one is 2010; year two and year three (2011/2012); and year four would be 2013. Year one would require no further work and we would qualify for up to \$5 per parcel. During years two and three, we would not have to change any assessments based on market value, and would qualify for up to \$2 per parcel. Year four (2013) would be a complete revaluation of all property in the Town; and we would qualify for up to \$5 per parcel again. It is important to realize a few things:

1. Whether we change our assessments or not, we would qualify for the \$2 per parcel, and our equalization rate would change according to current market conditions.
2. Trending assessments to keep them at 100% would still only qualify us for the \$2 per parcel; the only way to continue to receive \$5 per parcel would be to do a complete reappraisal every year.
3. If we decide to enter an agreement where we update after so many years and decide towards the end that we would like to opt out, we would be required to pay back any of the aid received. For example, we decide to a four year plan, year one we do a revaluation; we receive \$5 per parcel,

year two and year three we do no adjusting; we receive \$2 per parcel for each year; year four we decide that we want out of the program, we would have to pay back the \$2 per parcel for those two years, year one is not subject to refund; because it is considered a complete revaluation.

During the off years of the revaluation, we will need to meet certain data collection criteria and the maintenance of digital photography. With a four year plan, we would be guaranteeing that we would visit each property at least once during a four year plan. At the end of the four year plan, we would then decide on whether to extend the program further, or to opt out of it altogether.

CODE ENFORCEMENT:

Mr. Illingworth reported that he has nine active complaints. Mr. Illingworth has also given to the Board five properties that he feels fall under the category of unsafe buildings. He would like direction from the Board at what they would like him to do. The Board suggested that a letter be sent to property owners to try to resolve before getting our attorney involved. Mr. Colesante made the motion to accept the Code Officer's Report, seconded by Mr. Metzger.

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

DOG CONTROL:

Ms. Ashley continues on the dog enumeration, she has started the process of ticketing the owners. She responded to a dog bite issue on Kibbie Lake Road. She is currently working a cruelty case which the State Police initiated. Mr. Metzger made the motion to accept the Dog Control Officer's Report, seconded by Mr. Tomaino.

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

PLANNING BOARD:

Status of proposed Subdivision Law revisions:

- A public information session was held, no substantial objections
- The final draft is currently being worked on, waiting for any changes to Article 8
- Mr. Woolridge has completed the road standards, they are ready for Town Board adoption
- Town Board must execute a negative declaration to comply with SEQRA procedures
- Once satisfied with the status of the above items, the next step in the process is for the Town Board to schedule a Public Hearing

Land Development Law revisions:

- Will focus on revisions to the signage section at the October 26th meeting

Mr. Moran wants to be sure the wording in the Subdivision Law does in no way imply that we will accept a road even if it is up to standards. Must make sure the Board has the final approval. Mr. Moran made the motion to accept the Planning Board Report, seconded by Mr. Colesante.

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

BOARD OF APPEALS:

Nothing to report.

JUSTICE COURT:

Mr. Metzger made the motion to accept the Justice Report's, seconded by Mr. Colesante.

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

PUBLIC COMMENT:

The question was asked if the Board could consider a donation to the proposed community center. A municipality cannot make donations, but it could contract with the center.

Mrs. Richards from Salt Road wanted to thank the Highway Department for fixing the shoulders of Salt Road, she appreciates the quick response.

TUG HILL COMMISSION:

Mr. Baxter told the Board of an upcoming meeting on Energy Efficiency and Alternatives in your community, this will be held on Friday, November 12, 2010 from 1pm to 5pm at the Parish Village Hall. Pre-registration is required. There will be a NORCOG meeting in November, date to follow. The Village of Cleveland has changed their meeting nights to the second Tuesday of the month at 6:30pm. Mr. Gilkey thanked Mr. Baxter for all his help on the budget.

ADJOURN:

At 9:14 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Metzger.

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