

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD –June 21, 2011**  
7:30pm Constantia Town Hall

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

Others Present: Warren Bader – Town Attorney  
Wayne Woolridge – Highway Superintendent  
Ken Macari - Board of Appeals Chair  
Michael Parker - Barton & Loguidice

**CALL TO ORDER:**

At 7:30pm Mr. Gilkey called the regular meeting of the Constantia Town Board to order with the pledge of allegiance.

**PUBLIC COMMENT:**

Mrs. Kline would like to suggest that the Town pick up brush.

A resident of County Route 65 was in attendance to complain about his neighbor demolishing a trailer, it is creating a mess in his yard. Mr. Gilkey will speak to the Code Enforcement Officer to review the situation.

**WATER:**

**Constantia & Toad Harbor Water Districts Construction**

- Contract No. 1 (Water Mains – NYS Route 49) is substantially complete. It is anticipated that NCC will be onsite to address punch list items in the next few weeks.
- Contract No. 2 (Water Mains - County, Town & Private Roads) – Installation of services and restoration is ongoing. It is anticipated that installation of services will be completed early next week.
- Contract No. 3 (Tank) – Tank painting is expected to begin Monday, June 27<sup>th</sup>. It is anticipated that the tank will be usable August 23<sup>rd</sup>.
- Contract No. 4 (Pump Station) –It is anticipated that the electrical contractor will complete wiring next week and start-up & testing will be done in early July.

**Water Service Connections**

- The Contract No. 1 water mains (NYS Route 49) and all roads south of NYS Route 49 have been approved for connection by DOH & OCWA.
- Walk-thru of remaining roads (north of NYS Route 49) commenced today and will be completed tomorrow. It is anticipated that these roads will be accepted by OCWA this week.
- To date, 73 people have connected to the water system (52 in the Constantia Water District and 21 in the Toad Harbor Water District).

**Proposed Bernhards Bay Water District**

- Town sent interest surveys for Bernhards Bay and requested response by June 17<sup>th</sup>. Based on info received from the Town, response rate was 62.8% and of those responding 70.2% were in favor.

Meeting with the Village of Cleveland to discuss project, SEQR required after Village's election.

Interest survey results are as follows:

Total surveys sent: 304

Total surveys returned: 191

Response rate: 62.8%

Original survey area

Revised district boundary

In favor: 134 70.2% In favor: 134  
74.0%

Not in favor: 57 29.8% Not in favor: 47 26.0%

A map was given to the board with parcels marked as to how they responded to the survey. A copy of this map is available for viewing at the Town Clerk's Office. The surveys were sent to the owners of the properties, as to if the properties are vacant or not by this map we cannot tell. If the board is happy with the adjusted boarder, they can accept tonight and then approve at the next Town Board meeting. Mr. Metzger would like to wait for more responses, it might bring up the numbers, 62% response is good but he would be happier with 75%. It was agreed to hold a meeting on Thursday, June 30th, at 8 am to make the decision on the boundaries.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the May 17th town board meeting, May 24th special meeting and the June 2nd special meeting, 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 #6, Dated June 21, 2011:

General Fund	167-204	\$ 13,550.52
Highway Fund	90-108	\$ 18,476.39
Northshore Water District	44-52	\$505,940.97

seconded by Mr. Tomaino.

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

**SUPERVISOR:**

Mr. Moran would like to see A690 Justice Court Fund to reset yearly, the figures that are printing on the supervisor's report right now is a running total from the last few years. Mr. Gilkey will discuss with Ms. Butler to try and correct this problem. Mr. Moran made the motion to accept the Supervisor's Report, seconded by Mr. Metzger.

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

**HIGHWAY:**

Mr. Woolridge reported that they have installed 861 lft of culvert pipe both road and drainage. The town has been mowed completely once, they are now patching the roads, crushing and screening at the gravel bed. With the board's approval Mr. Woolridge would like to look at purchasing a leaf vacuum this would be a joint purchase with the Village of Cleveland. The village gave Mr. Riggs approval to spend \$3,000. the leaf vacuum that he is currently looking at cost \$6,000. Mr. Colesante asked how he would advertise this, it would be like the metal pickup, leaves would need to be on the side of the road during these dates. With burning leaves illegal, this would be a good thing for residents, he would have to concentrate his efforts on the hamlet of Constantia and Bernhards Bay where property owners have nowhere to put them. Lengthy discussion followed. The board would like a little bit more information before they give approval, maybe even have the inter-municipal agreement in place before the purchase. Mr. Tomaino 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:**

Mr. Metzger made the motion to accept the Town Clerk's reports, seconded by Mr. Tomaino.

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

**ASSESSOR:**

Grievance Day 2011 has come and gone. In total the Board of Assessment Review heard complaints from 40 individuals, and the results are as follows:

11 ~ favorable decisions

9 ~ no changes

13 ~ stipulations (agreements between Assessor & Property Owner)

5 ~ corrections

2 ~ exemption issues

The next legal step for property owner's that are not satisfied with the BAR's decision, will need to file a Small Claims Petition (available in our office) on or before July 31, 2011.

The 2011 Assessment roll will be filed on July 1, 2011 (Friday) and will be available to view on the website ([www.oswegocounty.com/rpts](http://www.oswegocounty.com/rpts)) and in person with the Town Clerk.

Just a reminder, I will be attending the New York State Assessor's Association Summer Seminar on Appraising, in Ithaca, NY, between July 17 – 21, and as such will be out of the office, but will remain in contact via my cell phone and email. Mr. Metzger made the motion to accept the Assessor's report, seconded by Mr. Colesante.

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

**CODE ENFORCEMENT:**

Mr. Illingworth would like to change the wording on the Building Permit Fee Schedule. This change would be under section 1. C. currently this reads HVAC Heating and Cooling Systems for new homes, the for new homes needs to be removed. Mr. Moran made the motion to change the wording on section 1.C. of the Building Permit Fee Schedule to read HVAC Heating and Cooling Systems, Including solid fuel appliances corn, pellet stoves, coal, wooding burning, seconded by Mr. Tomaino.

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

**DOG CONTROL:**

Mr. Moran 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:**

A final draft is being prepared of the proposed changes to the Land Development Law, after review it will be sent to the board for approval. Next meeting will be June 28th. Mr. Moran made the motion to accept the Planning Board's report, seconded by Mr. Colesante.

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

**BOARD OF APPEALS:**

Nothing to report.

**JUSTICE:**

Mr. Metzger made the motion to accept the Justice report, seconded by Mr. Moran.

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

**AUDIT:**

Mr. Moran has met with Mrs. Simpson and has made progress with the audit.

**CORRESPONDENCE:**

-Reynolds - Letter dated June 3, 2011 from Mr. and Mrs. Reynolds has been received, Mr. Gilkey has had many meetings with all parties, this is now considered a Health Department issue and they will be caring it forward.

-Cleveland Volunteer Fire Company report for the month of May

**PUBLIC COMMENT:**

Mr. Confer would like to know when the repair work will be completed for the water district, his yard is a mess and his drain pipe is plugged. The water district has held back 10% of payment to the contractors until all work has been completed and all residents are satisfied. The company has until September 30th to get all their work completed, they work on their own timeline, there is nothing the water district can do.

Mrs. Reynolds asked what can property owners do if they do not fix everything properly. Mr. Bader told them that they can always go to small claims court or send the contractors a letter and they should turn it over to their insurance company who will then come out and do an inspection.

### **TUG HILL COMMISSION:**

Mr. Baxter could not be at the meeting so he sent the following information:

As you meet tonight, I will be in attendance at a workshop on management issues for the fire service being held today at the Oswego County Emergency Response Training Center in Oswego, New York from 7:00 – 10:00 p.m.. I'll let you know of anything that comes of this training session of pertinence to Constantia.

#### 1. New Environmental Protection Fund (EPF) application cycle:

New York State has announced a new cycle for funding for EPF grants. I gave town councilman Richard Colesante a set of the background materials on May 25, right after the announcement was made, and I attended a workshop at the Fairgrounds on Monday, June 13 on details of this round of the program. Applications are due September 1, 2011.

From <http://nysparks.state.ny.us/grants/state-funded-programs.aspx>:

“Separate program applications are available, depending on the type of project proposed. The Parks application is to be used for projects to preserve, rehabilitate or restore lands, waters or structures for use by all segments of the population for park, recreation or conservation purposes, including such things as playgrounds, courts, rinks, community gardens and facilities for swimming, boating, picnicking, hunting, fishing, camping or other recreational activities. “

If the town is interested in pursuing an EPF grant in this funding cycle, please let me know as soon as possible so that we can figure out whether it looks like the town has a competitive project and if so, what we need to do between now and September 1.

#### 2. NorCOG meeting scheduling:

The next NorCOG meeting has not yet been scheduled. I will let you know when we have a date on this.

#### 3. NYS Tug Hill Commission update:

I've been getting questions about how things are going with the Tug Hill Commission, and I can report there has not been much change on that front. As you know, due to your support, the Commission was reinstated in the FY2011-12 New York State budget.

The Commission will be evaluated along with other state agencies by the SAGE (Spending and Government Efficiency) Commission (web site: [www.governor.ny.gov/sage](http://www.governor.ny.gov/sage)) The Commission has been able to meet with members on the SAGE Commission, and has prepared briefing materials for the SAGE Commission. I have given copies of that briefing material to supervisor Gilkey and NorCOG chairman Colesante.

**BOARD COMMENT:**

-Mr. Moran made the following resolution:

WHEREAS, the TOWN of CONSTANTIA and the AUTHORITY desire to enter into an Agreement for the lease of a water distribution system and for the supply of water and water service to the NORTH SHORE WATER DISTRICT, and

WHEREAS, the TOWN of CONSTANTIA represents to the AUTHORITY that the NORTH SHORE WATER DISTRICT was duly established as provided by law, and

WHEREAS, the TOWN of CONSTANTIA represents to the AUTHORITY that the TOWN has the power and the AUTHORITY to bind itself to the provisions of the proposed Agreement,

NOW, THEREFORE,

BE IT RESOLVED, that the Agreement between the AUTHORITY and the TOWN of CONSTANTIA, New York in the form as is annexed hereto, be and hereby is approved by the TOWN of CONSTANTIA, and

BE IT FURTHER RESOLVED that the Town Board of the TOWN of CONSTANTIA hereby executes said Agreement on behalf of the TOWN of CONSTANTIA and the Town Clerk is hereby authorized to deliver a copy of the executed Agreement to the AUTHORITY, and any other party.  
Seconded by Mr. Metzger.

Carried: Moran - Yes Tomaion - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

-Mowing contract received from the County Mr. Gilkey along with Mr. Bader have reviewed the document and there are some concerns. Item #7 the County is requiring a five million dollar umbrella policy, this will make our insurance policy increase by \$3,300. if this requirement can be changed then the contract can be signed. This contract is signed yearly. Mr. Gilkey will contact the County Attorney.

-Mr. Moran asked how the ISO Fire Department paperwork was coming, Mr. Metzger stated that is it a long process. There is a lot that goes into it, not only that we have hydrants, but the number of volunteers/response time/type of water supply/how many miles to certain locations. The paperwork is moving forward.

-Mr. Gilkey wanted to speak about time clocks as it pertains to hourly employees in the Town Hall. Executive session was suggested.

**EXECUTIVE SESSION:**

At 9:05 pm Mr. Metzger made the motion to go to executive session, seconded by Mr. Tomaino.

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

Mr. Bader, Mr. Colesante, Mr. Gilkey, Mr. Metzger, Mr. Moran and Mr. Tomaino went into executive session. Mr. Gilkey indicated he would take the minutes.

At 9:43 pm Mr. Metzger made the motion to return to the regular town board meeting, seconded by Mr. Moran.

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

**ADJOURN:**

At 9:43 pm Mr. Metzger made the motion to adjourn, seconded by Mr. Moran.

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