

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD –September 20, 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: Wayne Woolridge – Highway Superintendent
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:

Chena Tucker from SUNY Oswego gave a presentation on the Small Business Development Center. This center is open to all that have questions pertaining to opening a small business or to owners to businesses that are already open and have some questions. Their service is free to all.

No further public comment at this time.

WATER:

Constantia & Toad Harbor Water Districts Construction

- Contract No. 1 (Water Mains – NYS Route 49) is substantially complete. They will be on-site to finish minor punch list items this week (i.e., asphalt repair, seeding, etc.).
- Contract No. 2 (Water Mains - County, Town & Private Roads) is substantially complete. Completion of remaining minor punch list items is ongoing.
- Contract No. 3 (Tank) – Interior painting inspection has been completed, defects have been identified and Caldwell’s work plan has been accepted. Corrosion Control (subcontractor) returned to the site today to prep interior surfaces for finish coat.
- Contract No. 4 (Pump Station) – Emergency generator load test was completed on September 12th.

Water Service Connections

- The Contract No. 1 water mains (NYS Route 49) and Contract No. 2 water mains have been approved for connection by DOH & OCWA. To date, 223 people have connected to the water system (155 in the Constantia Water District and 68 in the Toad Harbor Water District).

“In-District” Extensions

- The DOH/EFC have approved “In-District” extensions. The following roads within the Constantia and Toad Harbor Water Districts have been approved for extensions:
 - Johnson Road South (NYS Rte 49) ~ 1,400 feet
 - Johnson Road North (Nicholsville Road) ~ 1,100 feet
 - Simons Drive ~ 800 feet
 - County Route 11 ~ 1,300 feet
 - Depot Road ~ 700 feet
 - Luther Road ~900 feet
 - Omara Road ~ 1,800 feet
- A resident on Johnson Road is currently circulating an informal petition to determine the percentage of residents in favor on that road.
- B&L can provide a proposal to assist with the design, permitting, bidding and construction of these “In-District” extensions if the Towns would like to move forward with all or a portion of these extensions.

Proposed Bernhards Bay Water District

- Town Board accepted Map, Plan & Report at July 19th Board Meeting.
- The Village of Cleveland requested an extension on 30 day timeline for lead agency designation. The Town granted an extension until September 23rd.
- Three (3) members were appointed to the water committee at a special meeting on September 12th and began circulating petitions last week. The members are Donald Miller, Mary Miller and Kathy Murphy. To date, they have been to 40 properties. 16 were in favor of public water and signed the petition, 6 were against public water and 18 weren’t available so the water committee left an information sheet and will follow up in a week.
- The Town scheduled a meeting with the Constantia 12 for September 28th.

Mr. Metzger asked if the pump station is working, yes it could be used, but is not needed until the tank is up and running.

The board is waiting for a letter from the village of Cleveland giving the town approval to be lead agency for the OCWA interconnect. They asked for an extension, the new deadline is September 23rd at 4pm.

COUNTY LEGISLATOR:

Ron Sakonyi reported the following:

- HEAP, many changes to this program from the state this year, all benefits have been reduced. First day to apply for HEAP is November 1st, but all are encouraged to send in applications early. The HEAP application season was also reduced, the new closing date is March 16th.
- EEE Virus, 16 of the samples found this summer tested positive. A child, 2 dogs, and 5 horses contracted the virus. The virus was found in 10 county towns.
- Drug Abuse, the County Legislature will be passing a resolution urging NYS and the Federal Government to ban the manufacture, sale and possession of dangerous unregulated natural and synthetic drugs.
- Public Safety and Emergency Services Committee, EMS Director Pat Egan spoke to the committee about the fact that workloads on the fire companies have become overwhelming and some fireman are not being recertified. It takes 160 hours plus ride time to be recertified as an EMT. Man power is lacking and the fire departments are not getting an influx of new people.
- Public hearing from September 15th has been rescheduled to October 29, 2011 at 2pm. The topic of this hearing is to pass a local law in regards to military funerals.
- Public Auction, 11 properties will be auctioned.
- Resolution opposing the Power of NY Act of 2011, in general it takes away the home rule option.

MINUTES:

Mr. Colesante made the motion to accept the minutes of the August 8th-special meeting, August 16th town board meeting, and September 2nd special meeting, seconded by Mr. Metzger.

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

VOUCHERS:

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #9, Dated September 20, 2011:

General Fund	263-277 279-293	\$152,670.10
Highway Fund	145-161	\$131,654.31
Northshore Water District	73-80	\$ 81,363.83

seconded by Mr. Colesante.

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

SUPERVISOR:

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

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

HIGHWAY:

Mr. Woolridge reported that paving is completed in the town. The paver is now in West Monroe and the guys are helping them with their paving. The paver will be back to do shoulders, they will also be around to do seam sealing. There is one culvert left on Lower Road to complete. Mr. Woolridge also purchased a Elgin Pelican S Street Sweeper from Auctions International for \$2,275.

The town was awarded the EFC Grant for the purchase of the leaf vacuum, we will be reimbursed for the total spent. Leaf pickup will start, depending on the weather about October 18th, schedule will be posted in all post offices along with the citizen outlet. Mr. Moran made the motion to accept the Highway Superintendent's report, seconded by Mr. Colesante.

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:

As you are probably aware, School tax bills have been mailed out. This is the first fiscal year that we are seeing the implementation of the 2% STAR cap – not to be confused with the 2% Levy Cap – and its affect on school taxes. The tax bill looks the same as in the past with one exception: No more is the Star Exemption Amount (\$30,000 – Basic, \$60,100 – Enhanced) being subtracted as in the past. Instead, the Department of Taxation and Finance has set up certified Star Limits for every town and school district in the State, and that amount is no longer going to increase by more than 2% in any given year, regardless of school budget or the assessed value. With that said, should anyone have any questions with regards to their school bill, they should contact me directly.

I am also starting to learn about the upcoming 2% Levy cap, and its ramifications on municipalities. How this levy will impact the Town of Constantia remains to be seen. I will share any new information with the Board as it becomes available. Mr. Moran made the motion to accept the Town Clerk's reports, seconded by Mr. Metzger.

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

CODE ENFORCEMENT:

As a follow up to Mr. Losurdo's complaint about the trailer that is being demolished by his property, the trailer is gone, there is just a few pieces left to be taken away. A letter was sent to Mr. Hall about his property on 1314 County Route 17, Bernhards Bay, waiting for a response.

Mr. Moran made the motion to accept the Code Enforcement Officer's report, seconded by Mr. Colesante.

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

DOG CONTROL:

Mrs. Ashley has been picking up a lot of stray dogs lately, unfortunately no one has been claiming them or adopting, the town has to pay to put many of them down. Mr. Moran made the motion to accept the Dog Control Officer's report, seconded by Mr. Colesante.

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

PLANNING BOARD:

The planning board has a few site plan reviews in progress or pending:

-Mike's Plumbing, waiting for application materials

-Kathy Pacific, sketch plan conference scheduled for September 27th for an ice cream shop

-Hilton, sketch plan conference scheduled for the 27th for an auto repair shop at 1805 State Route 49

Mr. Johnson will attend the meeting on the 27th to discuss procedures for planning and zoning. Mr. Moran made the motion to accept the Planning Board report, seconded by Mr. Metzger.

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

BOARD OF APPEALS:

Next meeting scheduled for October 4th.

JUSTICE:

Mr. Moran made the motion to accept the Justice report received from Justice Simpson, seconded by Mr. Colesante.

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

AUDIT:

SUPERVISOR: **GILKEY**

Introduced the following and moved its adoption:

RESOLVED, that:

The town board for the town of Constantia approves the 2010 Justice Audits. Justice Simpson's audit completed by Mr. Moran and Justice Pelon's audit completed by Ms. Butler. It is further instructed that Ms. Butler send copies of both to the New York State Office of Court Administration.

Seconded by Councilman: **COLESANTE**

Aye: **MORAN, TOMAINO, COLESANTE, METZGER, GILKEY**

TUG HILL COMMISSION:

Mr. Baxter reminded the board that there will be a session on September 21, 2011 at the West Monroe Town Hall dealing with the 2% cap, all are welcome. He is also in the process of planning a few sessions for the planning and appeals board members to get their annual training in locally, dates will be announced.

BOARD COMMENT:

-Regional Computer Recycling & Recovery has contacted Mr. Gilkey they would like to speak to him about a program where they would pick up our electronic waste. We would need an area where the containers would be under cover, Mr. Woolridge has a spot, hopefully this would help with people throwing them on the side of the road. The board approved for Mr. Gilkey to speak to them to gather more information.

- September 28th at 7pm the board will be having a public meeting with the people on the eastern end of the Bernhards Bay Water District.

- Budget workshop set for September 28th at 8am in the Constantia Town Hall

- Budget workshop set for October 6th at 7pm in the Constantia Town Hall

Mr. Metzger questioned why at the Oswego County Chief's meeting Mr. Hinds a trustee for the village of Cleveland showed a map of a fire district for Cleveland. Who started it? Mr. Gilkey responded the Mr. Hinds asked him to look into it, right now the district is separated at Shacksbush Road, in some cases property is divided in half, it should be divided by property lines. The map was put together to see what the village thought of it. Mr. Metzger strongly disagrees with this, why wasn't the board or even the fire chief for the Constantia Volunteer Fire Department made aware of this. It came as a complete surprise and is causing an uproar, he has been receiving many calls on this and he was not even aware. (Mr. Gilkey)The question was raised by Cleveland, if the village does not want it, why go forward. Mr. Colesante asked why would the village be able to stop anything for Shacksbush Road, the town of Constantia has control over these funds, if we want to change then it is regardless of what the village wants. Mr. Metzger pointed out that both fire departments would be called out anyway so it really is a non-issue and not that important. Mr. Gilkey responded that it was just a concept, and for him only. The problem is if there are two districts, that could create a problem with the budget, it should be looked at a little differently. Once fire districts are created then you lock yourself into what they want to spend and the board has no control over it. The problem is we do not know what is in the proposal, does it meet the property owners needs? Mr. Gilkey responded that it was only a concept. Mr. Metzger - Why is the village looking at a concept when it is the town of Constantia's call? Mr. Metzger is opposed to this.

Mr. Moran has a problem with the village putting in services without informing the Constantia town board. He was traveling past Cleveland and asked some workers on the side of the road what they were doing and they told him they were installing sewers. He feels this is a concern for the town because we could be dragged into a problem when we were not aware of the original installation. Mr. Gilkey has spoken to Mr. Bader in the past and he has indicated that you can't stop a municipality from offering services. Each property owner signs a contract with the village. Mr. Moran still feels we should be notified when they are doing any kind of extensions.

EXECUTIVE SESSION/ADJOURN:

At 9:30 pm Mr. Metzger made the motion to go into executive session to discuss possible ligation, seconded by Mr. Colesante. Board members only.

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

At 9:52 pm Mr. Moran made the motion to reopen and then to adjourn the regular meeting of the Constantia town board, no action was taken during executive session, seconded by Mr. Colesante.

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