

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD –February 19, 2013**  
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

**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:**

None

**WATER:**

Constantia and Toad Harbor Water Districts Construction

- Contract No. 1 (Water Mains – NYS Route 49) – Change Order No. 5 (over/under quantity adjustments) has been executed. Recommendation for final payment will be forwarded to the Town Board for March Board Meeting.
- Contract No. 4 (Pump Station) – All work under this Contract has been completed. Status unchanged for Contract No. 4A bonding/payment issues.
- Contract No. 5 (Water Mains – Extensions) – OCWA has accepted Johnson Road (south), Depot Road and County Route 11 water mains. Remaining work includes restoration/punch list.

Proposed Bernhards Bay Water District

- The petition process continues. Currently, 56.1% of the total assessed value and 57.6% of resident assessed value have signed the petition.
- Chuck has been in contact with the Director of Community Outreach for Representative Richard Hanna in an attempt to secure additional funding for the project. We are trying to setup a meeting with Matt Driscoll, President and CEO of NYSEFC. Also, we sent project information to the Central New York Regional Planning and Development Board for possible infrastructure funding.
- USDA Rural Development will be providing a revised funding estimate based on the 2010 census.

CWSRF Engineering Planning Grant

- B&L has provided an engineering services proposal.
- Executed engineering agreement, M/WBE compliance, SEQR resolution and budget due by March 1<sup>st</sup>.

**SEWER:**

Mr. Parker brought with him a resolution to be considered by the board for the Proposed Constantia Sewer District.

COUNCILMAN: **Metzger**

Introduced the following and moved its adoption:

RESOLVED, that:

**WHEREAS**, the Town of Constantia (Town) submitted a Consolidated Funding Application (CFA) for the proposed Constantia Sewer District (Project); and

**WHEREAS**, the Project has been selected to receive an Engineering Planning Grant (Grant) up to \$30,000 through the New York Clean Water State Revolving Fund (CWSRF) program; and

**WHEREAS**, the Grant requires a local match of a minimum of 20% of the total Project cost; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 317 (the “Regulations”), the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

**WHEREAS**, a resolution is required authorizing and obligating local match funds; and

**NOW, THEREFORE, BE IT**

**RESOLVED AND DETERMINED**, that the Town hereby determines that the proposed Project is a Type II action in accordance with 6 NYCRR Section 617.5(c) (21) which constitutes the conduction of concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary for the formulation of a proposal for action and is therefore not subject to review under 6 NYCRR Part 617.

**BE IT FURTHER RESOLVED AND DETERMINED**, that the Town authorizes and appropriates a minimum of 20% local match as required by the Engineering Planning Grant Program for the Project. Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Town shall not exceed \$7,500 based upon the total project cost of \$37,500.

Seconded by Councilman: **Colesante**

Aye: **Moran\*, Colesante, Metzger and Gilkey**

Nay: **Tomaino**

\*Mr. Moran originally voted no for the sewer grant, but will vote yes for this now as to be a cooperative member of the board.

The Proposal for Engineering Services - Preliminary Engineering Report was discussed. The board needs to give Mr. Gilkey authorization to sign this agreement. At the February 14th meeting it was agreed to go thru item 11, at that point the board would decide if they wanted to proceed. Mr. Bader added the following language to the agreement: *This letter agreement is terminable at will by the Town Board upon 24 hour notice to Barton and Loguidice.* (This statement must be initialed by Eric A. Pond, Vice President). Mr. Colesante made the motion to authorize Mr. Gilkey to sign the Proposal for Engineering Service - Preliminary Engineering Report for the Constantia Lakefront and Hamlet Sewer Service Area, dated February 13, 2013 with the following language added, This letter agreement is terminable at will by the Town Board upon 24 hour notice to Barton and Loguidice. (This statement must be initialed by Eric A. Pond, Vice President), seconded by Mr. Metzger.

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

March 5th at 6:30 p.m. will be the first workshop meeting to discuss sewer needs in the Town including the NYS Route 49 corridor, Constantia hamlet and Doris Park to identify approximate potential/future service areas, and to discuss conceptual alternatives for treatment.

#### **MINUTES:**

Mr. Moran made the motion to accept the minutes of the December 31, 2012 End of Year meeting, January 3, 2013 Organizational meeting and the January 15, 2013 Town Board meeting, seconded by Mr. Colesante.

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 #2, Dated February 19, 2013:

General Fund	27-58	\$ 14,497.47
Highway Fund	21-38	\$ 60,562.92
Northshore Water District	3-7	\$388,669.91

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. Metzger.

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

#### **HIGHWAY:**

The highway men are busy plowing, doing maintenance and tree work. Mr. Colesante made the motion to accept the Highway Superintendent's report, seconded by Mr. Moran.

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

#### **TOWN CLERK:**

Mrs. Haynes gave her report along with the tax collector report. A total of \$1,826,626.15 was turned over to the Supervisor on February 5, 2013. This satisfies the total warrant for the town of Constantia. Mr. Tomaino made the motion to accept the Town Clerk's report, seconded by Mr. Moran.

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

#### **ASSESSOR:**

The Office of Real Property Tax Services has provided me with the 2013 Pre-Decisional Collaboration; where the State measures our assessments against their defined market area. Our market area consists of the following municipalities:

- Town of Schroepfel, Oswego County
- Town of Hastings, Oswego County
- Town of West Monroe, Oswego County
- Town of Constantia, Oswego County
- Town of Vienna, Oneida County

The summary of the State's determination; is that our level of assessment for the 2013 roll, will once again be at 100%. According to recent sales in our market area, our residential ratio is approximately 96.04, which means, on average, our assessments are about 4% lower than selling prices. As I have mentioned in the past; the majority of our 'gains' would be in our waterfront area, which also means that we may actually have to address this issue for the 2014 assessment roll; unless the sales between now and June 30, 2013 show a decline or leveling off.

More analysis will have to be completed this summer, and a course of action will have to be determined; whether to reappraise or trend the waterfront section in order to maintain our 100% equalization rate, or to let our equalization rate drop below 100%. More information and discussions will occur after the June 30, 2013 timeframe.

As a reminder; all exemptions need to be postmarked by March 1, 2013, in order to be considered for the current 2013 assessment roll. Any property owner's with questions or concerns; should contact our office. 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:**

Memo from Mr. Illingworth about property at 1314 County Route 17 received, the consensus of the board is to close the case. Mr. Metzger made the motion to accept the Code Enforcement Officer's report, seconded by Mr. Moran.

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

Mr. Illingworth is asking to have the board add Building Inspector to his title. This will give him authorization to go onto people's property. From what Mr. Gilkey and Mr. Bader can find, it is a title only. Mr. Metzger would like to hold off until the next meeting, think about it and get more information so all can understand implications, the board agreed.

**DOG CONTROL:**

Mrs. Ashley is still unsure of her status as it pertains to the village of Cleveland. Mr. Colesante asked if there was a dog running around in the village would she handle it. Not sure, there has not been a call as of yet, she has always been paid separately from the village. Mr. Gilkey would like to hold further discussion for executive session. 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:**

Last meeting cancelled because of weather, next meeting scheduled for February 26, 2013.

**BOARD OF APPEALS:**

Nothing to report.

**JUSTICE:**

Mr. Moran made the motion to accept Justice Pelon and Justice Simpson's report for January, seconded by Mr. Metzger.

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

**AUDITS:**

Mr. Gilkey thanked Mr. Metzger and Mr. Moran for completing the audit for Town Clerk and Tax Collector. There were no exceptions during the audits. Mr. Colesante made the motion to accept the audit for Town Clerk and Tax Collector, seconded by Mr. Tomaino.

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

Judge Simpson is next to be audited followed by Judge Pelon.

**PUBLIC COMMENT:**

None

**BOARD COMMENT:**

- Received Cleveland Vol. Fire Company report for January
- Renewal for the franchise agreement with Time Warner Cable. This is a 15 year agreement, Mr. Bader has reviewed. Public hearing will be March 19, 2013 at 7:00 p.m.
- National Flood Insurance Program -Flood Insurance Rate Maps for Oswego County. A local law needs to be enacted for this, which will supersede our current law. Mr. Bader is working with Mr. Illingworth on the final draft it should be ready for the March meeting. There needs to be a fee established, Mr. Illingworth suggested \$300.00, the board would like to know if this would be in line with other towns before making this decision.
- Oswego County Multi-Jurisdictional Hazard Mitigation Plan has been given its approval from FEMA. Mr. Bader is reviewing paperwork. A resolution should be available for the March meeting. The plan itself is lengthy and is available for review at <http://www.oswegocounty.com/emo/hazard.html>

**EXECUTIVE SESSION:**

At 9:04 p.m. Mr. Colesante made the motion to go into executive session with the entire board, Mr. Bader and Mrs. Ashley for salary issue and discussion, there could be a vote after session. Seconded by Mr. Moran.

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

At 9:32 p.m. Mr. Moran made the motion to close the executive session where no action was taken and to reopen the regular town board meeting, seconded by Mr. Colesante.

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

**ADJOURN:**

At 9:33 p.m. Mr. Metzger made the motion to adjourn, seconded by Mr. Moran.

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