

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD –April 16, 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: Wayne Woolridge - Highway Superintendent  
Paul Baxter - Tug Hill Commission  
Ron Sakonyi - County Legislator

**CALL TO ORDER:**

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

**ADOPTION OF THE LOCAL LAW:**

The following resolution was offered by, **Councilman Colesante** who moved its adoption, seconded by **Councilman Metzger**, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 1 of 2013, “A Local Law for Flood Damage Prevention as authorized by the New York State Constitution, Article IX, Section 2, and Environmental Conservation Law, Article 36”, was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on March 19, 2013; and

**WHEREAS**, a public hearing was held on such proposed local law on the 16th day of May, 2013 by the Town Board of the Town of Constantia and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Constantia in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. 1 of 2013.

**NOW, THEREFORE**, it is

**RESOLVED**, that proposed Local Law No. 1 of 2013 is an unlisted action, that there are no other interested agencies, that this Board shall act as lead agency for purposes of SEQR review and that the enactment of proposed Local Law No. 1 of 2013 will have no significant effect on the environment; and it is further

**RESOLVED**, that the Town Board of the Town of Constantia, Oswego County, New York, does hereby enact Proposed Local Law No. 1 of 2012 as Local Law No. 1 of 2013.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

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

**PUBLIC COMMENT:**

None

**WATER:**

**Constantia and Toad Harbor Water Districts Construction**

- Contract No. 1 (Water Mains – NYS Route 49) – Stipulation of Discontinuance has been executed and recommendation for final payment has been forwarded to the Town Board.
- 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) – Remaining work includes restoration/punch list. B&L is meeting with Syracuse Constructors and NYSDOT on Thursday, April 18<sup>th</sup> to discuss settlement of NYS Route 49 at location of Crossing No. 2 (near golf course in West Monroe).

**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. A few additional signatures have been received, but haven’t been validated by the assessor yet.
- USDA Rural Development will be providing a revised funding estimate based on the 2010 census.

**Constantia Lakefront and Hamlet Sewers**

- B&L is currently working on preliminary layouts for the sewer/force main locations, sizes and pumping systems to service the potential/future sewer service areas and convey flows to the Village of Cleveland WWTP or Town of Hastings WWTP (via facilities in the Town of West Monroe).
- Environment One (Grinder pump manufacturer) has offered to meet with the Town and answer any questions.

Mr. Moran thought maybe it would be a little early to speak to a grinder pump manufacturer, but did ask the question about power outage. If the power is out for an extended period of time how long can the

pump go? Mr. Gilkey answered 150 gallons, Cicero uses pumps that can hold 250 gallons. Mr. Moran originally asked the question to be sure this was addressed in the study.

### **COUNTY LEGISLATOR:**

Mr. Sakonyi reported:

- Passed resolution opposing the early voting legislation, nearly 50 other counties have also passed resolutions against this legislation. If passed this would be another unfunded mandate from the State.
- Office of the Youth and Aging will be under Department of Social Services, Purchasing will be moved to Administration Department.
- To save money, drug testing will be done by DSS instead of contracting out.
- Legislator Beardsley resigned his position, he was appointed Oswego County Treasurer.
- Five houses are up for auction in the town of Constantia they have until June 13th to pay taxes.
- May 9th is County Government day, Ms. Bellinger from Dutcherville Rd will be going.
- Congressman Hanna will be hosting a town hall meeting on April 30th at the Mexico Town Hall

### **MINUTES:**

Mr. Moran made the motion to accept the minutes of the March 13, 2013 special meeting, March 19, 2013 public hearing and the March 19, 2013 town board 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 #4, Dated April 16, 2013:

General Fund	94-124	\$14,577.56
Highway Fund	52-71	\$24,700.00
Northshore Water District	10-12	\$ 8,582.30

Seconded by Mr. Metzger.

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:**

Completed broom cleaning the roads, back roads were done today, rolled the dirt roads again. They will be cutting shoulders next week and start tree work for paving season. The town received \$31,000.00 more in CHIPS money. Our total now is \$141,000.00. This will go a long way to help repair the roads, the last increase was 4-5 years ago. Mr. Metzger 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:**

Mrs. Haynes gave her report along with the tax collector report. All taxes have been returned to the county treasurer, will receive final settlement in late May. Mr. Metzger 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:**

No report - finishing up the final roll.

### **CODE ENFORCEMENT:**

Mr. Moran 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:**

Mrs. Ashley has written 25 tickets for non renewal of dog licenses. There are ongoing issues with the village of Cleveland. The village of Cleveland has always hired their own dog control officer. In January Mrs. Ashley tried to put in a voucher to the village for payment of dog calls, the voucher was refused. Mrs. Ashley has tried numerous times to contact the Mayor, no response. A letter has been received by the town board members, Mrs. Ashley has not yet received the letter but was informed of it by Mr. Gilkey. Mr. Colesante said the letter really has nothing to do with the town, the problems that she is having with the village she will need to resolve herself. Until then, if there is a dog call in the village and it is a call that is a violation of the state law or the town law the board would like her to handle it, anything above that, i.e. lease law the village can handle themselves. The town does carry liability insurance for her, so Mr. Gilkey will contact our insurance carrier to be sure she will be covered. Mr. Colesante 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

It was then suggested that a separate motion be made to instruct Mrs. Ashley how the board would like her to handle calls in the village. Mr. Colesante made the motion to instruct Mrs. Ashley, DCO for the town of Constantia to enforce New York State Ag and Markets Law Article 7, and town laws as they

pertain to dogs (Local Law 3 of 2010 and Dog Control Ordinance of 1990). Any law specific to the village i.e. leash law will not be enforced by the town of Constantia's DCO. Seconded by Mr. Moran.  
Carried: Moran – Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey – Yes

**PLANNING BOARD:**

- Sketch plans for Trach - County Route 23 and a two lot subdivision on Roosevelt Road.

**BOARD OF APPEALS:**

Nothing to report.

**JUSTICE:**

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

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

**AUDIT:**

2012 Annual Report has been submitted to the State Comptroller's Office, copy is available for review in the Town Clerk's Office.

**PUBLIC COMMENT:**

None

**TUG HILL COMMISSION:**

Mr. Baxter:

- Tug Hill Commission will be meeting on Thursday April 18th in Central Square. Regular meeting at 10am prior to that at 9am there will be a presentation on the proposed raceway park, this is opened to the public.
- Tug Hill Annual meeting is May 30, 2013.
- Annual Headwaters report is out.
- Representatives from Tug Hill have a meeting for Friday April 26th with National Grid, they are working together to help move things forward. There might be a public information meeting before surveys so residents will have some information before answering the survey questions.
- The Annual Report for the Town should be put on the website, Mr. Baxter will get with Ms. Butler.

**BOARD COMMENT:**

Letter received from Antonia J. Gilkey for consideration for open position on the Board of Assessment Review. Mr. Moran made the motion to appoint Antonia J. Gilkey to the Board of Assessment Review, term to expire on 9/30/2017, seconded by Mr. Metzger.

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

- Cleveland Fire Department Report received

- Time Warner contract is being reviewed, there were some additional questions that needed clarification. Mr. Baxter asked Mr. Gilkey to ask Time Warner for a map of coverage, this is helpful to get ideas where there are gaps in service in our rural community. Town of Parish did get funding to increase high speed internet in their rural areas.

- Oswego County Multi-Jurisdictional Hazard Mitigation Plan will be discussed for possible approval at the next town board meeting in May.

COUNCILMAN: **MORAN**

Introduced the following and moved its adoption:

RESOLVED, that:

**As of April 16, 2013, the Town of Constantia will increase the expenditure from \$100.00 to \$200.00 per year for each highway employee for the purchase of safety shoes as required on page 6 of the Town of Constantia's Employee Handbook.**

Seconded by Councilman: **METZGER**

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

Roy Rainville and Todd Carpenter were in attendance to talk about the local chapter of NYTRO, they would like the town to open a few roads for atv's so they can have access to the railroad beds. They have spoken to Dave Holst, County Legislator they report he is working with the county on their behalf. Mr. Rainville has just taken over as President, he will get more information together to present to the board. For more information on NYTRO visit their website at [www.nytroatv.org](http://www.nytroatv.org).

**ADJOURN:**

At 9:17 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Tomaino.

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