

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD –August 20, 2013
7:30pm Constantia Town Hall

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

Others Present: Wayne Woolridge - Highway Superintendent
Paul Baxter - Tug Hill Commission
Ron Sakonyi - County Legislator

OPEN:

At 7:30pm Mr. Gilkey opened the regular meeting of the Constantia Town Board, following the public hearing on proposed local law 2 of 2013.

LOCAL LAW:

Mr. Colesante made the motion to accept the State Environmental Quality Review Short Environmental Assessment Form as read at the public hearing on August 20, 2013 at 7:00 pm, seconded by Moran.
Carried: Moran – Yes Tomaino - Yes Colesante - Yes Metzger - Yes Gilkey - Yes

**TOWN OF CONSTANTIA
TOWN BOARD RESOLUTION**

August 20, 2013

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law entitled Local Law No. 2 of 2013, A Local Law Revising the Town of Constantia Land Development Law, was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on July 16, 2013; and

WHEREAS, a public hearing was held on such proposed local law on the 20th day of August, 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, proposed Local Law No. 2 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. 2 of 2013 will have no significant effect on the environment; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. 2 of 2013.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Constantia, Oswego County, New York, does hereby enact Proposed Local Law No. 2 of 2013 as Local Law No. 2 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:

Frank Tomanio	Councilman	Voted	Yes
Tom Moran	Councilman	Voted	Yes
Richard Colesante	Councilman	Voted	Yes
John Metzger	Councilman	Voted	Yes
Charles Gilkey	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

PUBLIC COMMENT:

None

WATER/SEWER/HIGHWAY PROPOSALS:

The town board held a meeting on August 14, 2013 with Barton & Loguidice, Mr. Gilkey reviewed the meeting.

Proposed Constantia Sewer District

- The Village of Cleveland WWTP is the preferred alternative for treatment.
 - B&L submitted CFA for Engineering Planning Grant to Evaluate the Village WWTP and Collection System
- Low pressure collection is preferred over gravity collection due to topography, alleviates the need for double sided sewers on NYS Route 49 corridor, etc.
- Need to select preferred service area alternative

- Alternative No. 2 – Approx. \$25 million, User cost ~ \$1,041 annually
- Alternative No. 2 (Reduced) – Approx. \$18 million, User cost ~ \$1,001 annually
- Interest Survey Examples
- PER has to be submitted to EFC by August 26th to move the project from the Multi-Year List to the Annual List on the 2014 Final IUP.

Bernhards Bay Water District

- Subsidized Funding line on the Draft 2014 IUP is 130 points
- The joint project w/ Cleveland is listed with 115 points
- Potential additional points include the following:
 - 10 points for written commitment of funding from another source – Chuck received verbal confirmation from Holly Carpenter (Senator Richie's Office) on 8/12/2013 (\$50,000)
 - 5 points for operational improvements
 - 5 points for AC Pipe Replacement

Highway Garage Roof Evaluation

- Engineering Services Proposal

At the meeting on the 14th, Mr. Moran asked to wait for approval of this proposal, Mr. Woolridge was not at meeting and would like his opinion. Mr. Woolridge would not spend the money to do this study, Mr. Tomaino agrees. Mr. Woolridge has had three contractors come and look at it, not all agree with what needs to be done. Mr. Woolridge knows it needs a vapor barrier, he would like to be able to reuse the metal that is already on the roof. Remove put on the barrier and replace metal use screws with gaskets. Mr. Gilkey is concerned that there is mold on the rafters or some of the rafters might have been damaged, have an engineer look at the system to see what needs to be fixed. Mr. Woolridge is concerned that Barton and Loguidice will not be willing to reuse the existing metal, Mr. Colesante stated that it can be told to Barton and Loguidice to consider that option. Mr. Metzger noted that it will be easier to send to bid if the contractors know what the building needs. Mr. Moran made the motion to approve the proposal for engineering services for the Constantia Highway Garage Roof Evaluation dated August 13, 2013 for \$2,600.00, seconded by Mr. Colesante. *Full copy of signed agreement at end of these minutes.

Carried: Moran – Yes Tomaino - No Colesante - Yes Metzger - Yes Gilkey - Yes

Redfield & Frederick Street Drainage

- Modeling has commenced.
- Site visit conducted on August 14th.

COUNTY LEGISLATOR:

Mr. Sakonyi reported:

- Next rabies clinic is September 11th at the Schroepel Town Garage from 6 to 8 pm
 -The office of State Senator Patty Richie has secured \$27,000 in funding for EEE programs in Oswego, Jefferson and St. Lawrence Counties, Oswego County is to be the administrative lead
 -Two pools of infected EEE mosquitoes were found, Toad Harbor and Big Bay
 -Four mosquitoes pools tested positive for West Nile Virus, two in the village of Central Square, New Haven and Palermo
 - ATV's: Oswego County Economic and Planning Committee will meet at the end of August, need to bring concerns to share with them at this meeting. The new contract is set for the middle of October, now is the time to start talking with the committee so they know the Town's concerns. Mr. Bader has reviewed the lease, the County has the right to lease their land to whoever. It states in the lease that the users must stay on County property, he feels a resolution from the board is the best way to go. Mr. Metzger asked why they excluded the other areas, Mr. Sakonyi said that is the only area the ATV Club requested. The County is going to say they were not aware of any problems, that is why it would be good to get something in writing to Mr. Sakonyi to bring with him. Mr. Colesante thinks it would be easier to enforce if they are not allowed at all on the trail. Mr. Colesante made the motion to send a letter to Mr. Dave Turner, Director of Planning and Tourism for the County expressing the Town's concerns with the ATV lease and usage of the county trail and to request a meeting. Mr. Gilkey and Mr. Colesante will draft the letter, seconded by Mr. Tomaino.

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

Mr. Baxter expressed his concerns to Mr. Sakonyi about information that has been released to the press about the mosquitoes there were infected with both EEE and West Nile. The paper said the pools were in Central Square, when it sounds like they were in Big Bay and Toad Harbor. They should be careful about this information.

MINUTES:

Mr. Moran made the motion to accept the minutes of the July 16, 2013 town board 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 #8, Dated August 20, 2013:

General Fund	217-253	\$ 20,512.36
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Highway Fund 134-158 \$112,153.54

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 for July, seconded by Mr. Metzger.

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

HIGHWAY:

They will be paving until the end of August, Mr. Woolridge has sent in the paperwork for CHIPs money.

Mr. Tomaino 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. Moran made the motion to accept the Town Clerk's report, seconded by Mr. Tomaino.

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

ASSESSOR:

There have been articles in the newspaper about the STAR program. If you are over 65 (Enhanced STAR) there is no change, under 65 or regular STAR you will need to call or visit their web site to reapply.

Residents should be getting letters in the mail.

CODE ENFORCEMENT:

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

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

DOG CONTROL:

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

PLANNING BOARD:

Continuing work on the resident comprehensive survey.

BOARD OF APPEALS:

Public hearing, Tuesday, August 27, 2013 on variance for 43 Doris Park Drive.

JUSTICE:

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

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

CORRESPONDENCE:

Resume received from Mr. Nicholas Condolora, given to Mr. Gilkey and asked for it to be given to the board members.

PUBLIC COMMENT:

None

TUG HILL COMMISSION:

Mr. Baxter:

- Web site is up to date
- Tax levy cap for 2014 budget is 1.66%, as the tax levy cap is 2% or rate of inflation, whichever is less and the comptroller has determined that to be 1.66%
- Tug Hill Legislative Summit - organization is in process, looks likely for last week in October. will notify when date is finalized.
- Attended the summer meeting of the Oneida Lake Association and have a copy of the Oneida Lake Hazards map for the town.

BOARD COMMENT:

-Mr. Gilkey read the Undertaking For the benefit of The New York State Department of Transportation In connection with work affecting state highways. This Undertaking should be approved annually for the town to be allowed to work along state highways, this includes mowing and/or snowplowing. It is for the protection of the town. Mr. Metzger made the motion to authorize Mr. Gilkey, Supervisor for the town of Constantia to sign the Undertaking, seconded by Mr. Moran. *full copy of signed Undertaking will be at the end of these minutes.

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

-Real Property Tax Law 467 - item #8 (eliminating deadline for exemptions) was brought to Mr. Gilkey's attention by a resident of the town.

It reads:

8. Notwithstanding the provisions of subdivisions five and six of this section, the local governing body of a city, town, village or county having the power to assess may adopt a local law authorizing the assessor or assessors of such city, town, village or county to accept

applications for renewal of exemptions pursuant to this section after taxable status date. Such local law shall provide that in the event the owner, or all of the owners, of property which has received an exemption pursuant to this section on the preceding assessment roll fail to file the application required pursuant to this section on or before taxable status date such owner or owners may file the application, executed as if such application had been filed on or before the taxable status date, with the assessor on or before the date for the hearing of complaints.

Mr. Gilkey has spoken to Ms. Mullenax-Director of Real Property for Oswego County, Mr. Wheeler-Assessor for the town and the Dept of Taxation and Finance, no one person is in favor of this section. No other town or county has passed such law. After discussion, the board agreed that they will not change the taxable status date.

-Natural Gas Survey- problem with the surveys, 900 sent out 114 returned (12%). Mr. Bader saw the survey it was not good it reads like you were signing an agreement to sign up for natural gas. Mr. Gilkey would like a much simpler survey will work to possibility get another one out.

-Mr. Gilkey gave to board members information to review on alterations from the Code Enforcement Officer, the board has entertained this in the past but would like the board to review. Pictures were given of the property at 10 Railroad St. Bernhards Bay, this property is being gutted but because there is no listed enforcement for alterations - there is no permit needed, Mr. Illingworth feels this is a concern.

-Letter received from Village of Cleveland they have hired their own dog control officer, they indicated that they will be doing an enumeration. Board was concerned that they would want re-imbusement, this was not mentioned. Mr. Gilkey will send a letter that this dog control officer is not an employee of the town so the town will not be responsible for any of the charges.

-Mr. Gilkey has reviewed the state and county lists of bridges and culverts, there are none in the Village that are the responsibility of the town. Mr. Gilkey will respond to the Village indicating that all repairs will be the responsibility of the Village.

EXECUTIVE SESSION:

At 9:48 pm Mr. Moran made the motion to go into executive session to discuss a legal issue, seconded by Mr. Metzger.

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

At 10:06 pm Mr. Metzger made the motion to close the executive session and reopen the regular town board meeting, seconded by Mr. Colesante.

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

No action was taken during executive session.

Mr. Tomaino wanted it noted in the minutes that he has not resigned as a Councilman he will finish his term until 12/31/2013, he is just not seeking re-election.

ADJOURN:

At 10:08 pm Mr. Moran made the motion to adjourn, seconded by Mr. Tomaino.

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