

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD-JANUARY 21, 2014
7:30 pm Constantia Town Hall

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

Others Present: Wayne Woolridge - Highway Superintendent
Roy Reehil - County Legislator
Michael Parker - Barton & Loguidice

Absent: Warren Bader - Town Attorney

CALL TO ORDER:

At 7:30 pm Mr. Gilkey called the town board meeting to order with the pledge of allegiance.

PUBLIC COMMENT:

None

WATER/SEWER/HIGHWAY PROPOSALS:

Constantia Lakefront and Hamlet Sewers

- The Village of Cleveland was awarded a \$24,000 Engineering Planning Grant (EPG) through the CFA process to evaluate WWTP and collection system. Chuck, Tom and I (M. Parker) attended the Village's Board Meeting on January 14th to discuss EPG. The Village feels the study is more for the proposed Constantia Sewer District and does not want to provide the required local match of \$6,000. The Village also indicated that they would likely have a referendum for WWTP expansion required to serve proposed Constantia Sewer District.

The evaluation of the plant would include what would need to be done to take the additional affluent from Constantia, and also what they need help with now. Energy efficiency, grinder pumps, and their increased flows in the spring and winter thaws. This study would be beneficial to both the town and the village, if the town does create a district and uses the villages sewer plant they would be receiving additional income. Mr. Reehil questioned if anyone had listed the pro and cons of taking on Constantia to the trustees. Mr. Gilkey has spoken to Mayor Youmans and thought he answered all his questions. The question that needs to be answered now is would the Constantia Town Board be willing to pay the \$6,000 as to not lose the grant money. Mr. Whitney asked if that is even possible seeing the grant was issued to the village, Mr. Gilkey will contact Mr. Bader for an answer. The majority of the board would be willing to pay for part of the \$6,000 but really need a willing partner when going forward with something like this. The concern is the study could be paid for and then the village would want a referendum on the project, the referendum could fail. The board will wait to hear what Mr. Bader has to say on the subject.

Constantia and Toad Harbor Water Districts

- Welch filed lien extension on January 8, 2014.

Bernhards Bay Water District

- The Health Department is sending an MCL violation letter for Arsenic to Winn's. According to the Health Department, Winn's will have to sign a bi-lateral compliance agreement (BCA) that states they are going to connect to municipal water when it becomes available or add treatment to remove the arsenic to acceptable levels. This will increase the project score 25 points.
- We are still awaiting confirmation of the \$50,000 member item grant, which would increase the project score another 10 points.

Highway Garage Roof Evaluation

- Full letter from Dave Mitchell can be reviewed upon request.

The letter states it found some discrepancies between the S.R. Sloan truss design that was given to them from the town. It is their opinion that S.R. Sloan should be contacted to verify the design. Mr. Colesante asked if they were still in business, yes they are.

COUNTY LEGISLATOR:

Mr. Reehil reported:

- Thursday he will be attending a caucus to discuss initiatives for 2014. If anyone has any ideas, please be sure to contact him. His priorities:
- To insure that the county is evaluating the potential of tax foreclosed properties before they are sold at auction to determine if there is a public use or economic growth potential that outweighs the sale price and property tax income.
- To seek financial support for rescue services on Oneida Lake that our local fire departments provide.
- To work to better connect, promote and manage our trail systems and finding ways to link the trails to local businesses that can make the trails safer, get recreational vehicles off the streets and provide local commercial benefit.

- Mr. Reehil is on the following committees:
 - Government, Courts and Consumer Affairs Committee
 - Public Safety Committee

MINUTES:

Mr. Moran made the motion to accept the minutes of the December 17th town board meeting, the December 23rd special meeting, December 30th end of year meeting and the January 1st organizational meeting, seconded by Mr. Metzger.

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

VOUCHERS:

Mr. Moran made the motion to accept the following vouchers as listed on Abstract #1, Dated January 21, 2014:

General Fund 1 - 42 \$ 22,781.20
 Highway Fund 1 - 15 \$ 29,789.68

Seconded by Mr. Whitney.

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

BUDGET TRANSFERS - 2013:

Mr. Moran made the motion to accept the following budget transfers:

General Fund:

Over Budget Accounts:

A1620.12	Buildings and Grounds	\$ 93.94
A1620.4	Buildings CE	\$ 3,609.50
A1920.4	Mun. Assoc. Dues	\$ 97.00
A3620.4	Safety Inspector CE	\$ 399.44
A7110.4	Parks CE	\$10,414.06
B8020.4	Planning Bd. CE	\$ 1,950.95
SL2-5182.4	Street Lt #2	<u>\$ 96.22</u>
Total Overdrawn:		\$16,661.11

Budget Transfer Account:

A1990.4	Contingency - Current Balance	\$63,000.00
	Budget transfer amount	<u>\$16,661.11</u>
	Balance	\$46,338.89

Highway Fund:

Over Budget Accounts:

DB5110.1	General Repairs PS	\$ 5,310.25
DB5110.4	General Repairs CE	\$ 5,392.80
DB5130.2	Machinery Eq	\$ 2,231.90
DB5130.4	Machinery CE	\$ 3,199.71
DB5142.1	Snow Removal PS	\$ 6,331.63
DB5142.4	Snow Removal CE	\$ 7,701.24
DB5148.1	Svc Other Gov PS	\$11,986.54
DB9010.8	State Retirement	\$10,435.18
DB9030.81	Social Security	\$ 640.83
DB9060.82	Medicare	<u>\$ 203.20</u>
Total overdrawn:		\$53,433.28

Budget Transfer Accounts:

DA5120.1	Bridges PS	\$ 4,000.00
DA5120.4	Bridges CE	\$ 5,000.00
DA9030.81	Social Security	\$ 230.00
DA9030.82	Medicare	\$ 58.00
DB5130.1	Machinery PS	\$ 1,292.89
DB5130.42	Machinery Ins CE	\$ 3,147.00
DB5140.1	Misc Brush Weed PS	\$ 954.95
DB5140.4	Misc Brush Weed CE	\$ 2,267.10
DB9060.8	Medical	<u>\$11,359.41</u>
	Subtotal	\$28,309.35

DB5112.2	Road Improvement	<u>\$25,123.93</u>	Current Balance \$29,670.20
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	Total of Transfers	\$53,433.28	(Matches total overdrawn)
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BD5112.2	Road Improvement	\$ 4,546.27	Remaining Balance
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Seconded by Mr. Metzger.

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

SUPERVISOR:

Mr. Metzger then made the motion to accept the Supervisor's report as presented dated December 31, 2013, seconded by Mr. Colesante.

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

HIGHWAY:

The highway guys have been doing maintenance on trucks, cold patching numerous roads in the town, brush cutting and plowing. Mr. Gilkey asked if Mr. Woolridge had the letter about plowing snow into the road, he does have it. Mr. Gilkey will contact him when he gets a complaint. Mr. Metzger made the motion to accept the Highway Superintendent's report, seconded by Mr. Whitney.

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

TOWN CLERK:

Mrs. Haynes reported that the total receipts and disbursements for the month of December was \$2,117.00.

Tax collection has started. A copy of the tax collector warrant has been given to the board, the warrant instructs Mrs. Haynes to collect \$4,560,441.63 for 2014 Town and County taxes. To date \$1,141,279.39 has been collected.

DEC license software has been installed and is working, there are many selling agents that have not been successful with the download and have not been able to sell licenses. Thanks to the help of Mr. Illingworth, ours is up and running. Mr. Metzger made the motion to accept the Town Clerk's report as presented, seconded by Mr. Colesante.

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

ASSESSOR:

Mr. Wheeler reported:

The deadline for the re-registering process for recipients of the Basic STAR program was December 31, 2013; however, due to an enormous amount of non-responses (approximately 800,000 at last count), the State is still accepting *late* applications, according to their website this morning.

I have been informed, that during the next few weeks, there will be yet another mailing; this time, using actual property owners' names, instead of the generic *property owner or occupant*; that was used in the past. At some point in the future, (exact time frame, unknown) the State will inform Assessors of the names of those people that have not re-registered, and thereby requesting that those exemptions be removed. What is still not clear?

1. **Who will be removing the exemptions?** *There have been several rumors running about that the State will be running an Structured Query Language (SQL) that will be run at the County Level. This SQL will actually be run against every town's database to remove the appropriate exemptions – in theory.*
2. **Will the list come with reasons for removal?** *We are hoping that the State will provide us a with a reason for removal, as I have discussed in the past, if the Star Exemption is being removed due to a residency issue, there may also be other local exemptions that should be removed as well.*
3. **How will the appeals process be handled?** *This has been a hot topic as of late, with no real answers or process planned out, other than, this will not affect the Assessor's office at all! I guess stay tuned.*

In summary, I would suggest that any property owners with questions regarding their Basic STAR should ultimately direct them to the Department of Taxation and Finance (DTF) by calling (518)457-2036.

I would also like to bring to the Board's Attention a report released in December 2013 by the NYS Tax Relief Commission (Copy Attached). This report outlines specific tax relief proposals – that would be focused on alleviating the emphasis on local and school property taxes.

I would like to point out a couple of areas of concern that each and every town in New York State should share. The Commission is recommending that the State implement a program for real property tax relief based on an individual homeowner's ability to pay. **While the statement is general in nature, it leads us to believe that the Commission may be considering yet another exemption that could shift the burden of taxes to other tax payers in the municipality.**

The Commission was also in favor of freezing real property taxes for two years, and goes so far to offer more incentives in those municipalities that *agree to implement a plan of shared services for administrative consolidations.* **We have all heard this before. Shared services and consolidation will save the tax payers millions. Really?**

The above pie chart represents the most recent tax rates expressed as a percent of dollars spent in the Town of Constantia. As you can see, the total burden for tax payers is 7%, 15% if you add Town and Highway together. Now I ask you, where is there any room for us to consolidate or share services? My point is simple, and really noticeable by the pie chart; the real issue at hand, would be the School taxes, making up 57% of the total bill. All County and Town governments should be really concerned about the State dictating a policy of consolidation, as there just does not seem to be enough savings at stake. You should also note; that these pie charts are very similar to all Towns in Oswego County; where the largest portion of tax dollars goes directly to the School Districts. It is

my opinion that all of us should be opposed to any form of consolidation that the State claims will save money; it just is not there.

This idea of consolidation, has been around for several years now. In fact, the New York State Assessor's Association drafted a Real Property Tax Reform White Paper in 2010. A copy of which can be viewed at our website www.nyassessor.com under the Legislative Link under the **Connect** tab. I feel this paper is once again relevant given the State's position on tax reform, and I encourage everyone to read it.

During the next few months, we will probably hear a lot of tax reform, tax freeze, rebates, cutting taxes etc. with the proposed budget taking center stage, but the one thing that should be made clear is simple, if you want to save tax payers money; then cut spending! The Governor already has challenged municipalities by implementing the 2% cap of a few years ago. The problem is not local or county government, the problem is unfunded State mandates, and over burdensome School budgets.

As always, should you have any further questions or concerns, please do not hesitate to contact me. Mr. Colesante made the motion to accept the Assessor's report as read, seconded by Mr. Whitney.

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

CODE ENFORCEMENT:

Mr. Moran made the motion to accept the Code Officer's report as presented with total receipts for the month of December in the amount of \$1,570.00, seconded by Mr. Metzger.

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

DOG CONTROL:

Out of the 25 dogs seized last month only 5 have not been adopted, good strides have been made for those animals. Mr. Metzger made the motion to accept the Dog Control Officer's report as presented, seconded by Mr. Moran.

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

PLANNING BOARD:

Comprehensive survey will be mailed out shortly.

BOARD OF APPEALS:

On January 14th a relief for front yard setback was approved for James Kimmel, 45 Lakeview Grove, Constantia.

JUSTICE:

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

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

AUDIT:

Mr. Moran has been given the paperwork to do the audits for Town Clerk, Tax Collector and Justice, will coordinate with Mr. Metzger and offices to complete.

PUBLIC COMMENT:

None

BOARD COMMENT:

As requested by Mr. Woolridge, Mr. Whitney made a motion to authorize the purchase of two (2) lifting columns sold by Mohawk Lifts for a total of \$22,453.20 to be charged to DB5130.2, seconded Mr. Moran. (This vender and lifts are part of New York State Contract #PC64743, 12/16/2009-9/30/2014)

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

ADJOURN:

At 9:02 pm Mr. made the motion to adjourn, seconded by Mr. Colesante.

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