

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD-MARCH 18, 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  
Warren Bader - Town Attorney  
Eric Pond - Barton & Loguidice, PC

**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:**

**Constantia Lakefront and Hamlet Sewers**

- The Village of Cleveland authorized B&L for engineering services related to an evaluation of their WWTP and collection system. The study will evaluate alternative improvements to the WWTP and collection system in an effort to increase efficiency, which would reduce the annual cost of operating the plant and allow the Village to more effectively accept additional flows and loads.
- Representatives from the Town of Constantia, Village of Cleveland, Town of West Monroe, Town of Hastings, Village of Central Square, Oswego County and Barton & Loguidice, D.P.C. met on February 21, 2014 to discuss the feasibility of a regional WWTP. This was previously evaluated in 1993 and is a long range planning effort.

Mr. Colesante asked who was paying the 20% match (\$6,000) either in cash or in kind services for the village of Cleveland. Mr. Pond responded that part of an issue for the Village is I/I (Influence and Inflow) into their sewer system. They will be doing house inspections to see who has their sump pumps connected to the system and then B&L will help develop plans to solve these problems. This will pay for their portion of the match. Mr. Colesante again asked if the town was giving the Village any money towards this. Mr. Pond responded that the Village did sign a scope of services that outlines how the program is laid out.

**Bernhards Bay Water District**

- The DWSRF point score was increased from 140 points to 150 points based on the \$50,000 Dormitory Authority State of New York (DASNY) Grant for creation of the Bernhards Bay Water District. The subsidized funding line on the 2014 Intended Use Plan (IUP) is 130 points.
- B&L has prepared a letter proposal for engineering services related to district formation and project development assistance. This will allow us to start some of the low cost, long lead time items required for the Town to be eligible for federal fiscal year 2015 funding.

Mr. Pond has with him an Engineering Service Proposal for District Formation and Project Development Assistance. As discussed previously, the \$50,000 grant from DASNY can be used to take care of the low cost, long lead time items required for the Town to be eligible for the federal fiscal year 2015 funding. The scope of services that would be completed with this grant would be the following:

1. Attend Workshop Meeting No. 1 with the Town to review the proposed district boundary in the July 2011 Map, Plan and Report (MPR), status of petition and interest survey results. Discuss revisions to the proposed district boundary, district formation alternatives (i.e., Article 12 vs. 12A), steps to proceed, schedule, etc.
2. A negative declaration was previously adopted by the Town Board as lead agency for the Bernhards Bay Water District and OCWA Interconnect; however, since that time the scope of the project has changed and the NYSDEC has issued new State Environmental Quality Review Act (SEQRA) Environmental Assessment Forms (EAFs) and associated tools (workbook and EAF mapper). Prepare new full EAF for the formation of the proposed water district and construction of the proposed facilities including improvements to the Village of Cleveland Water System and any modifications to the proposed Town Water District agreed upon at Workshop Meeting No. 1. Prepare a Notice of Intent to be Lead Agency and assist the Town in conducting a coordinated review.
3. Revise the July 2011 MPR in accordance with Article 12 or Article 12A of Town Law for the formation of the Bernhards Bay water district. Revise the boundary map and legal boundary description (based on tax map parcel) based on feedback received at Workshop Meeting No. 1. The MPR will include the maximum amount to be expended by the district, estimated district charge based on proposed financing and intermunicipal cost sharing, and water purchase costs. Submit ten (10) copies of the MPR to the Town for their use.
4. Attend one (1) Public Information Meeting and one (1) Public Hearing for the proposed district formation.
5. The New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) has determined that a

Phase 1 cultural resources investigation will be necessary along the pipeline alignments to document potential impacts to cultural resources. B&L will solicit quotes and subcontract a qualified archaeologist for a Phase 1A Archaeological Survey. *A fee allowance of \$4,000 has been estimated for the Phase 1A Archaeological Survey.*

6. Prepare and submit the Preliminary/Final Notice of Intent to the New York State Department of Agriculture and Market and the Oswego County Farmland Protection Board in accordance with Part 371 of the Agriculture and Markets Law. The Preliminary/Final Notice of Intent will provide a detailed project description and detailed agricultural impact statement outlining potential short- and long-term agricultural impacts and mitigative measures to be implemented. Provide administrative and coordination services for Notice filing, including preparation of a Final Certification to be signed by the Town Supervisor stating that the requirements of Article 25 AA, Section 305.4 of the Agricultural District Law have been fulfilled.

7. Assist the Town with preparing the framework on which the intermunicipal agreements with the Village of Cleveland and OCWA will be based. A total of 40 hours, including two (2) joint meetings have been assumed for this task.

8. Submit a DWSRF hardship application on the Town's behalf. It is noted that the hardship application would be due no later than December 1, 2014 for the Town to be eligible for federal fiscal year 2015 funding.

9. Assist the Town in preparing a Drinking Water State Revolving Fund (DWSRF) application for obtaining short- and long-term financing under the Environmental Facilities Corporation Revolving Loan Fund Program. Section 1 through 11 of the Application Form for the New York State DWSRF will be completed for submission to the Environmental Facilities Corporation. The Town's assistance will be required for compiling information under the Application, including, but not limited to, Refinancing Information (Section 4) and Financial Background Information (Section 11). A total of five (5) copies of the completed application package will be prepared and distributed to the EFC (three (3) copies), Town and B&L.

10. Assist the Town and its attorney with DASNY funding assistance, correspondence, and teleconferences. A total of twenty (20) hours has been allocated to this task.

Additional services will be required to complete the project, which are not part of this proposal. Tasks specifically not included are as follows:

- Phase IB Archaeological Survey (if required);
- Environmental field work;  
« Environmental impact statement or environmental study beyond that specifically indicated;
- Topographic survey;
- Subsurface investigations; and
- Design, bid, permitting and construction related services.

#### **Engineering Fee - Amendment No. 1**

Subcontracted Services for archaeological, as described above, shall be billed at actual cost plus 10% with a maximum not-to-exceed Four Thousand Dollars (\$4,000.00). Billing shall be monthly based on actual invoices received for subcontracted services.

The fee for the above-listed District Formation and Project Development Assistance shall be a lump sum amount of Thirty Eight Thousand Five Hundred (\$38,500). Invoices would be monthly in proportion to the percent scope completed as of the date of the invoice. Services beyond those outlined above would be considered an additional service, and would not be completed without prior Town Board authorization.

After reviewing the list, Mr. Colesante would like to move the inter-municipal agreement with Cleveland to the first item. It appears they are on board, but need something in writing because if they are not on board then we will not be able to get the funding, 30 years for 0%. Mr. Colesante asked about the Village calling for a referendum, Mr. Bader responded that is always a possibility. If the board does not do it then the residents can call for one. It is the chance you take. Mr. Colesante again stated that his decision is tied to Cleveland's involvement, so please move that item to the top of the list. It was decided to hold off signing this agreement until Mr. Pond sets a meeting with the Village to get a feel as if they are putting this out for a vote. Mr. Pond will set a meeting for the next few weeks.

#### Highway Garage Roof Evaluation

- B&L has discovered a usage/output capability limit in the structural analysis computer program written by a third party. Consequently, the amount of truss web member overstress is less than what was found in B&L's original structural analysis under snow load conditions, and the lower value of overstress can be resolved with the addition of continuous 2x4 lateral bracing attached to the overstressed web members. The addition of lateral bracing replaces the previous recommendation of adding new roof trusses to eliminate snow load overstress. This will reduce the budgetary cost estimate approximately \$20,000.

#### **COUNTY LEGISLATOR:**

Mr. Reehil is at a County Legislator meeting tonight.

**MINUTES:**

Mr. Metzger made the motion to accept the minutes of the February 18th town board meeting, seconded by Mr. Moran.

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 #3, Dated March 18, 2014:

General Fund	77-108	\$ 445,502.44
Highway Fund	31-49	\$ 50,334.87
Northshore Water District	3-4	\$ 5,635.88

Seconded by Mr. Whitney.

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

**SUPERVISOR:**

Mr. Moran made the motion to accept the Supervisor's report as presented dated February 28, 2014, seconded by Mr. Metzger.

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

**HIGHWAY:**

The lifts that were ordered last month are in and installed, on Thursday a representative will be at the garage to do training. They have experienced a lot of breakdowns, hydraulic hoses and a broken chain on a sander. This sander will need to be replaced, fix this one up to be used as a backup. Road signs being replaced, outdated and faded ones. Potholes being fixed this weather is very hard on the roads. All roads have been posted vehicles cannot exceed 4 ton axel weight. They are using the County's trailer to haul stone to be used on roads this summer. The playground equipment was delivered.

Mr. Gilkey asked Mr. Woolridge about the new guy that was hired, he is seasonal/part-time he will stay on until after paving. Mr. Gilkey asked about the person that gave his resume to the board, Mr. Woolridge goes by who is in his file, asked one person they did not want the job so went to the next person on the list.

Discussion on the highway garage roof, Mr. Woolridge would like to move forward the weather will be breaking there will be time to start working on it, he is now asking for approval. Mr. Woolridge has pricing from three (3) vendors. Having the highway employees do the work will save the taxpayer's money, with the savings other items can be done that need to be addressed. (Oil and water separator) Mr. Gilkey is concerned with the highway department doing the work, along with the mold that might be an issue. Mr. Gilkey asked Mr. Bader of his opinion, Mr. Bader asked Mr. Woolridge if they have protective clothing and masks. Yes, they will be worn when working in the area with the mold. Mr. Gilkey thinks it would be better to have it hired out. Mr. Metzger thinks that the highway employees can do the job safely, they do jobs that are equally as risky daily. Mr. Whitney stated that historically the highway employees have taken care of their own issues. Mr. Moran made the motion to allow the highway department to replace the roof, install a ridge vent, treat mold as per judgment, sister in trusses as needed, seconded by Mr. Whitney.

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

Mr. Moran made the motion to accept the Highway Superintendent's report, seconded by Mr. Colesante.

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 February was \$2,251.00.

524 Second notices were sent to taxpayers, March 31, 2014 is the last day to pay your taxes locally. On February 11th 1.5 million was sent to the county for a first installment on tax payments.

Mr. Metzger made the motion to accept the Town Clerk's report as presented, seconded by Mr. Whitney.

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

**ASSESSOR:**

The deadline to file the Exemptions for the 2014 Roll was March 3, 2014. During the next several weeks, we will finish processing those applications for use on the 2014 Roll. The only exception to that rule, would be for those taxpayers that have **not yet** re-registered for the Basic STAR with the Department of Taxation (DTF). According to DTF, they have made "every attempt" to notify, and anyone can still apply directly with them. Anyone who questions their Basic STAR status is encouraged to contact the DTF at (518)457-2036.

DTF has made available to Assessor's throughout the State, a "list" of those properties that are currently slated for programmatic exemption removal, sometime in April. This "preliminary" list; currently has over 150 property owners in Constantia scheduled to be removed. During the next several days, I will be going over the list parcel by parcel to see if the information I have coincides with that of the DTF. I will be making every attempt to ensure that our Basic STAR applications are as accurate as possible, in hopes to minimize the overall effects of this process.

Also, here is an update to memo from January 2014:

1. **Who will be removing the exemptions and how?** *The DTF has developed a Structured Query Language (SQL) that will be run at the County Level. This SQL will remove those exemptions that currently appear on the list.*
2. **Will the list come with reasons for removal?** *Of course not! However, each Assessor can "request" another list; that will show those exemptions that were removed for residency issues. Rest assured, I will be requesting that "list" for all towns.*
3. **How will the appeals process be handled?** *There still is no concrete answer from DTF, other than, "Taxpayers will be instructed to appeal with DTF, should they feel that they are entitled to the Basic STAR exemption."*

Please keep in mind, that during the next several weeks, I will be in and out of the office while I collect information on those properties that have applied for building permits.

Should you have any other questions, please feel free to contact me.

Mr. Colesante made the motion to approve the Assessor's report as read, seconded by Mr. Moran.

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 February in the amount of \$718.00, seconded by Mr. Metzger.

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

**DOG CONTROL:**

Rabies Clinic schedule has been posted. Mr. Moran made the motion to accept the Dog Control Officer's report as presented, seconded by Mr. Colesante.

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

**PLANNING BOARD:**

Mr. Buchan spoke on solar and wind power, NYSERTA does most of the regulating.

Site plan review for Mark Barry, 215 Lower Road was approved.

21% of the surveys have been returned -Tug Hill Commission is processing them.

**BOARD OF APPEALS:**

No report.

**JUSTICE:**

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

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

**AUDITS:**

Mr. Gilkey thanked Mr. Metzger and Mr. Moran for completing the audits for Town Clerk and Tax Collector. Mr. Whitney made the motion to accept the audits for Town Clerk and Tax Collector for 2013 dated February 20, 2014, seconded by Mr. Colesante.

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

**TUG HILL COMMISSION:**

Mr. Baxter reported:

- Will be attending the CNYREDC meeting on Wednesday, March 19th
- Reminder Local Government Conference is Thursday, March 27
- Governor's property tax levy freeze proposal continues to be discussed
- Attended the Central Square Schools board of education regular meeting on March 17. There continues to be a potential that one or the other of the North Shore schools will be closed, although it would be needed again if the middle school is sold.
- Town web site has been updated, will contact Ms. Butler to get the Annual Report so that can be posted to the site.
- Surveys - delivered the 500 or so surveys to Watertown for processing

**PUBLIC COMMENT:**

None

**BOARD COMMENT:**

Ambulance meeting scheduled for March 26th at 9:30am in the Constantia Town Hall. North Shore Ambulance is looking for a director, meeting to discuss what this will mean for their budget.

**EXECUTIVE SESSION:**

At 9:35pm Mr. Colesante made the motion to go into executive session, seconded by Mr. Metzger.

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

\*Mrs. Haynes did not go into this session.

At 9:55 Mr. Whitney made the motion to return from executive session and reopen the regular meeting of the Constantia Town Board, seconded by Mr. Metzger

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

Mrs. Haynes asked if there was any action taken during executive session - response - no.

**ADJOURN:**

At 9:56 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Metzger.

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