

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD-MAY 20, 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  
Nancy Butler - Bookkeeper  
Roy Reehil - County Legislator  
Laureen Tackman - Trustee, Village of Cleveland  
Warren Wheeler - Assessor

**CALL TO ORDER:**

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

**ASSESSOR:**

Mr. Wheeler told the board that the 2014 Tentative Roll is out, changes are as follows:

43 Change of Exempt Status  
17 Change of Assessment - Village  
-Net change of \$22,611  
112 change of Assessment - Town Outside of Village  
-Net Change of \$2,799,652

Grievance day for the town of Constantia is Wednesday, May 28, 2014 from 1pm - 4pm and 6pm - 8pm. Currently six have signed up for appointments, two more residents were in to get the form have yet to make appointments.

Mr. Wheeler will not be here on Tuesday, May 27th-Grievance Day ~ Hastings, will be here on Wednesday, May 28th-Grievance Day for Constantia and will also not be here on Tuesday, June 3rd ~ Grievance Day for Richland.

Mr. Colesante asked about the STAR program if Mr. Wheeler had a chance to review the lists that were sent out. Mr. Wheeler responded that he has not looked at the list for Constantia because he has been preparing for Grievance Day for his towns. Constantia's list did not have as many as Hastings, he did quickly look at the list, but has learned when dealing with the State that the first list is not always the correct list. He has already received notification that another list will be coming. The State has said that there is no longer a cutoff date to register for the STAR program. Residents can still either call the number or go online to apply. Mr. Reehil asked if Mr. Wheeler could check to see if residents did in fact register. No, the State is running the program so the best way if you are unsure if you completed the process correctly would be to either verify online or to contact the State via phone. The State has sent out two additional mailings so chances are you should have a good indication if you did reapply correctly.

Mr. Metzger made the motion to accept the Assessor's Report as given, seconded by Mr. Moran.

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

**PUBLIC COMMENT:**

Ms. Tackman asked Mr. Woolridge if he has been cutting trees on Reservoir Rd, yes. The power was out, did you notify the village? Mr. Woolridge is unsure if they were notified. Do you notify the residents when you are cutting trees? Yes, the ones that live on the property. What happens with the trees, half of the wood goes to the homeowner the other half goes to the highway garage, to heat the building. How is it determined which trees go, 25ft from center of the road or if any tree is deemed a hazard it will also be taken down. She asks because her father has property on the road and would have liked the wood.

**WATER/SEWER:**

**Bernhard's Bay Water District/Phase 2 of North Shore Water System**

- Workshop Meeting No. 1 was held on May 15, 2014. The following was discussed:
  - The scope of the project has changed significantly (i.e., joint water project with the Village of Cleveland and OCWA vs. Town only project) and a new Map, Plan and Report (MP&R) will be required.
  - The existing petition, which was signed by approximately 56.1% of total assessed value and 57.6% of resident assessed value, will not be valid for District formation due to revised project scope/new MP&R.
  - User costs are expected to be lower than what was presented in July 2011 MP&R (i.e., \$684/year).
  - Options for district formation include restarting the petition process or by order of the board (subject to permissive referendum).
  - The joint project will be listed on the Drinking Water State Revolving Fund (DWSRF) 2015 Intended Use Plan (IUP) with a point score of 150. It is anticipated that this will make the project eligible for hardship financing (i.e., 30-year, 0% interest loan and \$2M grant).

- The joint project benefits both the Town and Village. Neither municipality was able to qualify for hardship financing through the DWSRF program on their own. In addition to improved funding, the Village would receive the following benefits:
  1. Emergency connection to OCWA water system
  2. Replacement of existing water storage tank (violation from County Health Department)
  3. Replacement of 100+ year old water mains – reducing maintenance requirements, system leakage and unaccounted for water
  4. Individual water meters
  5. Improved fire protection
- OCWA has expressed an interest in meeting with the Town and Village in the next few weeks to discuss the project.

#### Constantia & Toad Harbor Water Districts

- B&L sent recommendation for final payment to the Town in the amount of \$8,135.

#### **COUNTY LEGISLATOR:**

-Legislator Reehil reported that he has been in contact with DEC and that the state is planning to make upgrades to the State Dock in Cleveland and spend up to about \$300,000 there. The project is long overdue and the State used drawings submitted by the village from past grant applications from as far back as 1995. David Lemon, Region 7 Fisheries Manager reported that “the design plans you referred to were provided to our designers/engineers in Albany for consideration as the engineering study and site design moves forward. Daniel Bishop of the same regional office wrote: “We submitted the Cleveland dock as one of the Governor's New York Works 3 public access projects. We hope to install sheet piling along the lake interface and a universal access canoe/kayak launch out on the point. We'll stay in touch as things develop and see how we can coordinate efforts.”

-Fish and Wildlife staff from both Regions 6 and 7 have already started to conduct double crested cormorant management activities on Oneida Lake and these activities will occur, as needed, all summer and fall until the beginning of duck season. Our Region 7 Wildlife staff will also be conducting Japanese Knot-weed control on the Three Mile Bay Wildlife Management Area.

-Legislator Reehil reported that he attended a NYS Senate Joint Task Force on Heroin and Opioid Addiction on April 25 and presented the report he wrote for the Legislature to the board.

-Legislator Reehil said that he is working with the village board in Cleveland and concerned residents on a strategy to convince the Central Square School District to reconsider closing the Cleveland School or any other community schools. In discussions with the Board of Education he has determined that they have no written justification for closing Cleveland over any other building, nor do they have written plan going forward. Board members contend that they will have to close more schools, but they don't know which school they're going to close next. Before the resolution to vote to close Cleveland, no one from the board or the district made any effort to contact any Village, Town, County or State Official representing Cleveland to discuss how closing the school might impact the village or town and their economies. They conducted a one-day focus group that based on a small set of options and no other options were allowed to be discussed. The closing affords no time to plan for relocating important services like the North Shore Food Pantry which server over 34,000 meals last year and is run out of the school building.

-Legislator Reehil also contends that the board did not attempt to follow NY School Law 402-a, under which guidance is provided (paraphrasing) that says: At least six months in advance of a proposed school closing a board is recommended to establish an advisory committee on building utilization to investigate the impact of such a closing and that the committee should prepare an impact statement in writing which should include the ramifications of closing on the community.

-Since the Board of Education didn't do that you, concerned village and town resident are doing it for them. He plans to deliver the impact statement to the Board of Education before their June 2nd meeting for their consideration.

The Impact Statement will include:

- A) A Report on the Academic Successes of the Cleveland School
- B) A Brief History of the Incorporated Village of Cleveland
- C) A Brief History of the Schools and Education in Cleveland
- D) An Accounting of the Negative Effects that Closing the School will have on the Village, Students and Education
- E) Population Data
- F) A Food Pantry Report
- G) A List of Viable Alternatives to Closure
- H) A Closing Argument to Rescind the Decision

-The Legislator respectfully requested that the Town Board consider a resolution in support of the request to rescind or delay the closure of the school, in order to seek better solutions that include the input of the Cleveland Village Board, Constantia Town Board, Oswego County Legislature and the Oswego County Industrial Development Agency who will be of great assistance in placing compatible businesses into underutilized schools or helping market buildings to prospective buyers and / or helping research the ability to make the underutilized

space into business incubators. Legislator Reehil reported that he met with the director of the IDA, Michael Treadwell, today for about an hour to talk about ways that they can partner with the School District, Town and Village, to find an innovative solution to a difficult problem, that could be of benefit to the school, the district and to create jobs in the County.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the April 15th town board meeting, seconded by Mr. Colesante.

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

At the April 15th meeting the minutes for the March 18th town board meeting were not officially approved, Mr. Colesante would like to do that tonight. Mr. Moran made the motion to approve the minutes of the March 18th town board meeting, seconded by Mr. Colesante.

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

**VOUCHERS:**

Mr. Moran made the motion to accept the following vouchers as listed on Abstract #5, Dated May 20, 2014:

General Fund	142-176	\$ 39,668.34
Highway Fund	71-90	\$ 36,840.50
Northshore Water District	5-6	\$ 8,213.50

Seconded by Mr. Whitney.

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

**SUPERVISOR:**

Mr. Gilkey would like to answer a question that was asked at the last meeting about the Supervisor's report. The reason that it is sometimes given to the board right before the meeting is because the report is generated by the bank statements when there are early meetings sometimes the statements are just not received in time. Mr. Moran said it if becomes a problem, then maybe we will have to start waiting a month before report is approved.

The park has purchased a new mower, a budget transfer will need to be approved to cover the shortage in the park equipment fund. Mr. Moran made the motion to approve the following budget transfer:

From: A1990.4 Contingency	\$4,500.00
To: A7110.2 Park Equipment	\$4,500.00

Seconded by Mr. Metzger.

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

Mr. Metzger made the motion to accept the Supervisor's report as presented dated April 30, 2014, seconded by Mr. Moran.

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

**HIGHWAY:**

Mr. Woolridge has turned in the hours that were used to replace the roof on the highway garage, which is finished. The old metal roof along with items that were left curbside during clean up have been taken to DT Auto Recycling, \$765.98 has been turned over to Ms. Butler. 68 TV's were picked up during clean up days. All ten wheelers have been put back together, one has been undercoated to see how the product hold up. Dirt roads have been graded and rolled. Cutting trees on Reservoir preparing it to be oil and stoned this year.

Mr. Woolridge has received notification that the DOT has red flagged the culvert on Holly Hole Road, there is one house past the culvert or Mr. Woolridge would just close the road from there. This was originally a bridge that the county converted to a culvert so it could be turned over to the town. Mr. Frantz, engineer will be meeting with Mr. Woolridge to go over and get a plan in place. This will need to go out to bid the culverts could cost \$15,000 each, they are 7ft and 9ft wide. Mr. Woolridge has been in touch with Mr. Petrozzi of the DOT so he knows that the town is working on fixing it. The town has 6 weeks to correct the problem.

Fuel Tank - right now the fire department is getting their gas from the middle school and uses about 1500 gallons a year, they paid \$3.17 last year, the town paid \$3.22. The cost of the card reader is about \$10,000.00, there will need to be discussion with the fire department to see if this will be an advantage for them. Mr. Whitney responded that they have to travel all the way to the middle school, worth the extra five cents not to make that trip. Cleveland FD is purchasing theirs gas at Vella's they pay full price but get their tax money back. Tank has already been purchased. Mr. Whitney made the motion to accept the Highway Superintendent's report, seconded by Mr. Moran.

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

**TOWN CLERK:**

Mrs. Haynes previously gave the board members a copy of a power point in reference to the Governors property tax cap freeze, they should expect to receive information for their own presentation shortly. On May 13th Mrs. Haynes received certification from the County Treasurer that all moneys directed to be paid by the warrant for the year 2014 is fully paid and satisfied. Total receipts for the month of April were \$3,693.35.

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

**CODE ENFORCEMENT:**

Mr. Metzger made the motion to accept the Code Officer's report as received with total receipts for the month of April in the amount of \$2,183.35, seconded by Mr. Moran.

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

#### **DOG CONTROL:**

Mr. Whitney made the motion to accept the Dog Control Officer's report as received, seconded by Mr. Moran.

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

#### **PLANNING BOARD:**

Subdivision approved for J. Vella - 391 County Route 23

#### **BOARD OF APPEALS:**

No report.

#### **JUSTICE:**

Councilman: **Whitney**

Introduced the following and moved its adoption:

RESOLVED, that:

**The town board for the town of Constantia approves the 2013 Justice Audits. Justice Simpson's audit and Justice Pelon's audit have been completed by Councilman Metzger and Councilman Moran. It is further instructed that Ms. Butler - Bookkeeper, send copies of both to the New York State Office of Court Administration.**

Seconded by Councilman: **Colesante**

Aye: **Moran, Whitney, Colesante, Metzger, Gilkey**

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

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

#### **PUBLIC COMMENT:**

Ms. Tackman, Village Trustee would like to set a date for a joint meeting between the town and the village. Mr. Colesante thought it would be good to have the entire board there for the meeting. It was decided that the quarterly meetings would involve just two board members from each board and then a yearly meeting with the entire board from both the village and the town. Mr. Colesante and Mr. Gilkey will be meeting with Ms. Tackman and another village trustee on June 4th at 2pm in the village hall.

#### **TUG HILL COMMISSION:**

Mr. Baxter reported:

- North Shore Council of Governments met two weeks ago, Tuesday, May 6. Next meeting will be in August.
- Mr. Baxter attended the Central NY Regional Economic Development Council meeting in Oswego and the Consolidated Funding Application meeting in Syracuse.
- Attended the joint NYSASB/NYSAC/NYSAOT/NYCOM on consolidation and cooperation and the tax levy freeze. One interesting finding was that there are limits on when consolidation steps being effective and they are fairly low.
- cost -Posted the 2014 tentative tax roll and notice on grievance day on the town web site.
- The Tug Hill Commission is holding a region wide SuperCOG meeting on Thursday, May 29th. Registration with dinner payments are due by this Friday, May 23rd.
- Attended the county tourism advisory council meeting today, the text meeting is tentatively scheduled for Monday, June 16, at 10 AM at the Cleveland Village Hall.
- Attended the May meeting of the county legislature. At that meeting, they had a fact sheet about current and future plans for the transfer stations.

#### **BOARD COMMENT:**

Mr. Colesante made the motion to approve the Standard Work Day and Reporting Resolution, seconded by Mr. Metzger. (full copy of resolution at the end of these minutes.)

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

There are two alternate positions open on the Planning Board. Mr. Gilkey has received a letter from Ms. Rita Petkash who would like to serve on the board. Mr. Retajczyk has been attending meetings, he has expressed an interest in becoming a member of the board. Mr. Colesante made the motion to appoint Ms. Petkash (term to expire 12/31/2016) and Mr. Retajczyk (term to expire 12/31/2017) to the alternate positions on the Planning Board, seconded by Mr. Metzger.

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

Mr. Gilkey attended the Supervisor Association meeting Mr. Gardner, County Legislature Chairman was there he gave them a handout on the status of the transfer stations. Mr. Reehil commented that right now the plan is to close each transfer station one additional day a week on a rotation basis, and to increase the fees. The legislature has not voted to close any station at this point. Mr. Moran asked if Mr. Reehil was aware of a letter given to the board in June of 2013 where the opinion of the Oswego County Environmental Management Council was against closing of any of the stations, if they close it will save money, but it will just be spent elsewhere so the residents will not see any benefits from the closure. Mr. Reehil was given a copy of the letter. Mr. Colesante asked if there

was any way to find out how many residents from the town use the Hastings transfer station. Also, are there any other towns in the county that do trash pickup, he can understand that a village would be able to do it, but a town being rural, would be nice to know this information. Mr. Gilkey will find out for next meeting.

Cleveland Volunteer Fire Department report was received for April.

Mr. Duggleby spoke passionately, on keeping the Cleveland Elementary school open, as did Mr. Reehil. Ms. Butler also spoke in favor of the Cleveland Elementary school. The board responded by passing the following resolution.

Councilman: **Colesante**

Introduced the following and moved its adoption:

RESOLVED, that:

**We, the Town Board of the Town of Constantia do respectfully request that the Central Square School District Board of Education rescind their resolution to close Cleveland Elementary School in order to study the impact that closing the school will have on our residents and our economy. The Board of Education should seek a solution that does not close the Cleveland Elementary School or any community school in the district that represent such vital importance to our communities.**

Seconded by Councilman: **Moran**

Aye: **Moran, Whitney, Colesante, Metzger, Gilkey**

The ISO ratings will be updated as of this August, Mr. Gilkey wanted to thank both the Cleveland and Constantia Fire Departments for all they did with completing the survey. It was a long process but this new rating will help both businesses and residents in the town. A special thank you to John Metzger, John Hinds, Jack Cottet, Zack Avery, Joni Hinds and John Whitney for all they did to get this completed.

**ADJOURN:**

At 9:57 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

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