

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD-March 17, 2015**  
7:30 pm Constantia Town Hall

Present: Richard Colesante, John Metzger, Thomas Moran, Chad Whitney – Council Members  
Clare Haynes – Town Clerk  
Others Present: Wayne Woolridge - Highway Superintendent  
Warren Bader - Town Attorney  
Roy Reehil - County Legislator  
Kenneth Mosley

**CALL TO ORDER:**

At 7:30 pm Mr. Moran called the town board meeting to order with a moment of silence for the late Supervisor Charles R. Gilkey who passed away unexpectedly in February, followed by the pledge of allegiance.

Mr. Moran read an email received from the village of Cleveland expressing their sympathy at the passing of Mr. Gilkey. Mr. Moran spoke how Mr. Gilkey was involved with quite a few organizations within the County, ie: Oswego County Planning Board and Oswego County Board of Supervisors to name a few. He will be missed.

**PUBLIC COMMENT:**

None

**APPOINTMENT:**

Mr. Moran spoke on how the board pondered what to do, Mr. Gilkey was involved in a lot. None of the board felt it was right to continue for nine months without someone in the Supervisor's position. The Republican Committee and the remaining board members met with Mr. Kenneth Mosley separately, all parties believe he is qualified and are satisfied with his abilities. Mr. Metzger made the motion to appoint Mr. Kenneth Mosley as Town Supervisor effective when he signs his oath of office, his term will expire on December 31, 2015. If Mr. Mosley so desires Mr. Mosley will need to run for election in November, seconded by Mr. Colesante.

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

**WATER/SEWER:**

Mr. Colesante reported that the town is still waiting on the determination of hardship funding application from EFC.

**COUNTY LEGISLATOR:**

Mr. Reehil reported:

At our March meeting the Legislature passed a law enacting a Residential Property Tax Exemption based on NYS 421-F. This County Tax only exemption is for non-maintenance improvements to residential property of between \$5,000 and \$80,000 dollars - basically for any improvement that would raise the property's assessed value. The exemption starts at 100% of the increase in value and gradually declines over an 8 year schedule. I've enclosed a copy of the exemption law and ask that you forward it to Assessor Wheeler along with a previous "mixed use" exemption 485-a. We have a commercial exemption on the books too at the county and I'll forward a copy of that to Assessor Wheeler.

The exemptions are for County tax only, but may be adopted into law by towns, villages and school districts. The legislature is promoting the use of these exemptions to promoting building upgrades in the County.

Dave Turner, Oswego County Director of Community Development, Tourism & Planning offered his condolences at the passing of Supervisor Gilkey and suggested that the Town Board could suggest a replacement for him on the County Planning Board if it wished.

Current Committee Assignments:

Chairman, Community Health and Poverty Reduction Task Force, an Advisory Committee  
Economic Development and Planning Committee  
Government, Courts and Consumer Affairs Committee  
Oswego County Tourism Advisory Council

Mr. Moran noticed a for sale sign on the old bank property, he called the realtor and there are currently two offers on the property. Mr. Colesante asked Mr. Reehil if he could inquire as to where the town stands with the grant application that was submitted to the county as it pertains to this area on Mill Street. If a new contact person is requested, then please give them his information.

**MINUTES:**

Mr. Colesante made the motion to accept the minutes of the February 12th special meeting and the February 17th town board meeting, seconded by Mr. Whitney.

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

**VOUCHERS:**

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #3, Dated March 17, 2015:

General Fund	71-112	\$446,056.52
Highway Fund	37-55	\$ 22,727.32

NorthShore Water District 2-3 \$ 6,183.88

Seconded by Mr. Whitney.

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

**SUPERVISOR:**

Mr. Colesante then made the motion to accept the Supervisor's report as presented dated February 28, 2015, seconded by Mr. Metzger.

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

**HIGHWAY:**

Mr. Woolridge reported:

- With the break in the weather they have been able to wash trucks and inspect for winter damage
- Pushed banks back, including the end of some driveways
- Cleaned out some plugged culverts with sewer jet from Central Square
- Rick Sakora is retiring, Mr. Woolridge would like the board to think about doing something to recognize Rick Sakora with his 30 year of service. Last day is April 30th so there is plenty of time.

Mr. Metzger made the motion to accept the Highway Superintendent report, seconded by Mr. Whitney.

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

**TOWN CLERK/TAX COLLECTOR:**

Mrs. Haynes reported that the total receipts and disbursements for the month of February were \$392.00.

Tax collection is coming to an end, seconded notices went out on March 12th collection ends on March 31st. On March 12, 2015 \$1,500,000.00 was turned over to Oswego County Treasurer as first payment. Mr. Colesante made the motion to accept the Town Clerk's report as presented, seconded by Mr. Whitney.

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

**ASSESSOR:**

Between now and the middle of April, I will be conducting inspections of those properties in Town that have filed for building permits since March 1, 2014. These properties will need inventory collected and valuation performed in time for the 2015 tentative assessment roll which will get published May 1, 2015.

Once the tentative roll gets published, I will set the dates and times where I will be available for questions from property owners regarding their respective assessments. Also in May, we will begin the process for getting ready for Grievance day, which is Wednesday, May 27, 2015.

Now that the March 2, 2015 deadline has expired, we are no longer accepting exemptions. Any individual's submitting exemptions after the deadline will be denied by mail, and instructed to file a grievance; if they so choose; as I am not legally allowed to accept exemptions after the March 2, 2015 deadline.

As always, should you have any further questions or concerns, please do not hesitate to contact me.

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

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

**CODE ENFORCEMENT:**

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

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

**DOG CONTROL:**

Mr. Whitney made the motion to approve the Dog Control Officer's report as presented, seconded by Mr. Metzger.

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

**PLANNING BOARD:**

Joint meeting planned for Tuesday, March 24th between the town board and the planning board to discuss the results of the survey.

**BOARD OF APPEALS:**

None

**JUSTICE:**

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

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

**COUNCILMAN: Colesante**

Introduced the following and moved its adoption:

RESOLVED, that:

**The town board for the town of Constantia approves the 2014 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: **Whitney**

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

Richard Colesante	Voted	<b>Yes</b>
John Metzger	Voted	<b>Yes</b>
Tom Moran	Voted	<b>Yes</b>
Chad Whitney	Voted	<b>Yes</b>

**CORRESPONDENCE:**

DEC burn ban is in effect until May 14, 2015, no residential burning. Mr. Woolridge said the town will be around to gather the leaves that did not get picked up before the snow came, give the highway garage a call with questions.

**PUBLIC COMMENT:**

Mr. Cottet wanted to verify, can you burn in a burning barrel? Mr. Whitney responded that there is no burning allowed at all, a few year ago the fire department had many calls because of brush/grass fires. This law has helped to quell some of that. The fines can be quite hefty.

Mr. Woolridge wanted to add that the roads in the town are now posted, no vehicles over 4 tons per axel are allowed.

The agreement to spend highway funds for road improvements has been signed by the board members and will be returned to the County.

Mr. Reehil updated the board on the possibility of the Cleveland Elementary being opened as a charter school, the paperwork for the charter school has been filed with the state. At this time the Central Square School Board has accepted a bid for the percentage that will be accepted if the building is sold, but still holding out hope that the school will be given to the new charter school as requested.

**BOARD COMMENT:**

-Mr. Moran thanked Mrs. Haynes and Mr. Illingworth for handling the power outage, the ice came off roof and took out the service entrance. All is back in working order.

-Hatchery Dam

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

**Whereas**, Frederick Creek passes under Tannery Road through the dam known as the "Hatchery Dam" and

**Whereas**, Tannery Road is part of the Town Highway system and

**Whereas**, The Hatchery Dam should be rebuilt in order to protect Tannery Road to prevent flooding and

**Whereas**, The Town Supervisor has received plans submitted by the New York State Department of Environmental Conservation to rebuild the Hatchery Dam and those plans are available for review by any interested party and

**Whereas**, The County Highway Superintendent has been notified by the Town Highway Superintendent of the New York State Department of Conservation plans to rebuild the Hatchery Dam and the County Highway Superintendent has no objections to the dam being rebuilt and

**Whereas**, in order to rebuild the dam, New York State Department of Environmental Conservation its contractors, agents, employees, representatives and assigns need to access lands owned adjacent to Tannery Road

**It is Resolved that** pursuant to New York State Highway Law Section 140, New York State Department of Environmental Conservation, its contractors, employees, agents, representatives and assigns are hereby authorized to repair the Hatchery Dam and to maintain a sufficient number of detour signs and warning signs for the general public to clearly indicate that construction is in progress and continue the warning signs for the duration of the project and it is

**Further Resolved**, that pursuant to New York State Highway Law Section 147, New York State Department of Environmental Conservation, its contractors, employees, agents representatives and assigns are authorized to enter and access lands owned adjacent to Tannery Road to rebuild the Hatchery Dam this authorization includes the right:

- a. To operate a work area or work areas
- b. To place fencing and secure any and all work areas as determined necessary by the Department
- c. To perform any and all activities necessary to carry out the above described purpose in an orderly and safe manner, together with the rights at all times during the duration of the project of ingress, egress and regress
- d. To perform the repair of Hatchery Dam in a way as to not endanger the public and to maintain a sufficient number of detour and warning signs to clearly indicate that construction of the

Dam is in progress for the duration of the project and it is

**Further Resolved**, that this authorization to enter and access lands to rebuild the Hatchery Dam shall include Tannery Road and the three (3) parcels adjacent to the Dam namely the Claire Ziervogel parcel, 60 Kibbie Lake Road, Constantia, NY 13044 Tax Parcel 296.00-04-18, David Geary parcel 28 Tannery Road, Constantia, NY 13044 Tax Parcel 296.00-04-24 and the John and Joy Metzger parcel 92 Kibbie Lake Road, Constantia, NY 13044 Tax Parcel 296.00-04-23.2.

Seconded by Councilman: **Whitney**

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

Richard Colesante	Voted	<b>Yes</b>
John Metzger	Voted	<b>Abstain</b>
Tom Moran	Voted	<b>Yes</b>
Chad Whitney	Voted	<b>Yes</b>

Mr. Reehil asked if this was the same agreement where the DEC is going to replace the dam and then turn it over to the town, Mr. Bader said after meetings with the DEC this will not happen, they are going to replace and still maintain the dam. This is in the best interest to the town.

-Annual Financial Report has been completed and filed with the State on March 4th, a copy is available in the Town Clerk's office.

-Mr. Colesante made the motion to appoint Mrs. Valarie Rouse to the open position on the Park and Recreation Commission term to expire on December 31, 2020, seconded by Mr. Whitney.

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

-Mileage policy changes, Mr. Metzger has made some changes to the last policy circulated. Did not bring the new version to the meeting, will email to board members. Please review and make comments if all in agreement it will be given to department heads for their input, possible approval at next month's meeting.

-Outdoor storage law of 2009, the board has spoken on this before and is getting close to the time that the town should be enforcing. The board would like to get a shorten version in the paper so maybe some residents will start on their own. After discussion it was agreed to start enforcing the law a section of the town at a time, maybe starting with State Route 49.

**TUG HILL COMMISSION:**

Paul Baxter reported:

- Thursday West Monroe is hosting a ZBA training session 7pm-9pm
- March 26th Tug Hill Conference is being held at Jefferson Community College
- Constantia Website is up to date

**ADJOURN:**

At 8:47 pm Mr. Metzger made the motion to adjourn, seconded by Mr. Colesante.

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