

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD-October 20, 2015
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - 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
Paul Baxter - Tug Hill Commission
Roy Reehil – County Legislator
Wayne Hall – Code Enforcement Officer
Michael Parker – Barton & Loguidice
Amanda Kullman – Barton & Loguidice

CALL TO ORDER:

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

PUBLIC COMMENT:

None

CODE ENFORCEMENT:

Mr. Hall is in attendance tonight to speak about two properties he has been working on and would like action from the board. When following the Local Law for Unsafe Buildings, Mr. Hall has done his steps it is now up to the board to pass a resolution in regards to both these properties. The properties in question are:

1396 County Route 17, Bernhards Bay
1540-1544 State Route 49, Constantia

Mr. Hall has been in contact with the owners of both properties and no significant improvements have been made. The board has requested Mr. Bader to create the resolution which will be addressed at the next budget meeting which will be held on Thursday, October 22, 2015 at 4pm.

Mr. Metzger made the motion to accept the Code Officer's report as presented with total receipts for the month of September in the amount of \$920.75, seconded by Mr. Whitney.

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

DOG CONTROL:

Ms. Ashley is currently working with two rescues, which helps keep the number of dogs that have to be euthanized to a minimum. Would like to remind residents that if you don't want to sign a complaint, then the only step she can take when there is a dog problem is to speak to the owner of the dog.

Mr. Moran told Ms. Ashley that there has been some residents looking to get a leash law for the town, would this make your job easier? She does not believe so West Monroe has a leash law, Ms. Ashley does not see a difference in the number of calls or complaints from it.

Mr. Colesante asked what is the procedure that you follow when licensing a dog. Mrs. Haynes sends out an original dog renewal license. A friendly renewal is sent the following month, then a list is given to Ms. Ashley. She tries to contact by phone, Mr. Colesante asked if tickets are written. She can write tickets at that point, Mr. Colesante believes after that much time has passed, tickets should be written.

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

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

WATER:

Councilman Colesante made the resolution:

**RESOLUTION
TOWN OF CONSTANTIA TOWN BOARD
RESOLUTION ESTABLISHING TOWN OF CONSTANTIA TOWN BOARD AS LEAD AGENCY AND
DETERMINING THAT ACTION TO CONSTRUCT THE BERNHARDS BAY WATER DISTRICT IS A
TYPE I ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE
ENVIRONMENT**

WHEREAS, the Town of Constantia (the "Town") is the sponsor of the Bernhards Bay Water District (the "Project"); and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act ("SEQRA") and the implementing regulations at 6NYCRR Part 617 (the "Regulations"), the Town desires to comply with SEQRA and the Regulations with respect to the Project; and

WHEREAS, pursuant to SEQRA and the Regulations, the Town prepared Part 1 of the Full Environmental Assessment Form (FEAF) and sent it to potentially "involved agencies" and "interested agencies" (as these quoted terms are defined in the Regulations) on August 19, 2015 indicating the Town of Constantia Town Board's

(the "Board") desire to serve as "Lead Agency" (as this quoted term is defined in the Regulations) for a coordinated review under SEQRA; and

WHEREAS, each of the involved agencies or potentially involved agencies has agreed to or raised no objection to the Board serving as the SEQRA Lead Agency for the Project; and

WHEREAS, pursuant to the Regulations, the Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2, and 3 of the FEAF together with other available supporting information to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of environmental concern;

NOW, THEREFORE, BE IT

RESOLVED that, the Board hereby establishes itself as Lead Agency for the Project; and

BE IT FURTHER RESOLVED that, based on examination of the FEAF and other supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Board's knowledge of the area surrounding the Project and such further investigation of the Project and its potential environmental impact as the Board has deemed appropriate, the Board makes the following findings and determinations:

1. The Project is accurately described in the FEAF; and
2. The Project constitutes a "Type I Action" (as the quoted term is defined in the Regulations); and
3. No significant adverse environmental impacts are noted in the FEAF for the Project and none are known to the Board.

Therefore, the Board hereby determines that the Project will not have a significant adverse environmental impact, and the Board will not require the preparation of a Draft Environmental Impact Statement with respect to the Project; and

BE IT FURTHER RESOLVED that the Town of Constantia Town Board authorizes Ken Mosley, Town Supervisor, to sign Page 2 "Determination of Significance" of Part 3 of the FEAF; and

BE IT FURTHER RESOLVED that the Board directs the Town Supervisor and the project engineer to publish notice of and file a copy of the Negative Declaration for the Project in accordance with the Regulations; and

BE IT FURTHER RESOLVED that the Town Supervisor and the project engineer, together with counsel for the Town, are hereby authorized and directed to take all actions, serve all notices and complete all documents in order to give full force and effect of this determination; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

Seconded by Mr. Metzger.

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

Ken Mosley, Supervisor	Voted	Yes
Richard Colesante, Board Member	Voted	Yes
John Metzger, Board Member	Voted	Yes
Thomas Moran, Board Member	Voted	Yes
Chad Whitney, Board Member	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

*Copies of both Part 2 and Part 3 of the Full Environmental Assessment Form are on file with the Town Clerk.

Councilman Colesante made the following resolution:

**RESOLUTION TO ESTABLISH TOWN OF CONSTANTIA
BERNHARDS BAY WATER DISTRICT**

WHEREAS, Barton and Loguidice, D.P.C. duly filed a map, plan and report in the office of the Town Clerk of the Town of Constantia, the said Town Board did on August 18th, 2015, duly adopt an order reciting a description of the boundaries of the proposed district, the maximum amount proposed to be expended for the improvement, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying that said Town Board shall meet at the Town Hall, Town of Constantia, New York on September 15th, 2015, for the purpose of conducting a public hearing on such proposal to establish the water district with the specified improvements and to hear all persons interested in the subject thereof concerning the same, and

WHEREAS, copies of said order were duly published and posted according to law, and said Town Board did, at the time and place specified in said order, duly meet and consider such proposal and heard all persons interested in the subject thereof, who appeared at such time and place, concerning the same,

NOW, THEREFORE, BE IT RESOLVED, by the Town Board, Town of Constantia, in the County of Oswego, that it be and hereby is determined as follows:

1. The notice of public hearing was published and posted as required by law and is otherwise sufficient;
2. That all of the property and property owners within the proposed district are benefitted thereby;
3. That all of the property and property owners benefitted are included within the limits of the proposed district; and
4. That the formation of the proposed district is in the public interest.

FURTHER RESOLVED, that the Town Board does hereby approve the establishment of a Water District as hereinafter described to be known as the Town of Constantia Bernhards Bay Water District, as described and set forth in the map, plan and report of Barton & Loguidice, D.P.C. filed in the Clerk of the Town of Constantia on the 18th day of August, 2015, and be it

BE IT FURTHER RESOLVED, that this resolution is subject to a permissive referendum, pursuant to the Town Law of the State of New York.

Seconded by **Councilman Moran**

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

Kenneth Mosley	Voted	Yes
Richard Colesante	Voted	Yes
John Metzger	Voted	Yes
Tom Moran	Voted	Yes
Chad Whitney	Voted	Yes

After attending a meeting with the village, Mr. Colesante updated the board on the progress with the village of Cleveland. The village board knows that a project as big as the one on the table will never be accepted by the residents of the village, they will be exploring their options. Mayor Youmans is hoping the funding agency will approve their lesser project under the same umbrella as the current offer. Mr. Colesante asked Mr. Parker's opinion on this. Mr. Parker is not sure if there is too big of a cut back from the original application submitted if it will pass. Mr. Parker will also reach out to the funding agency to see if they will accept our portion of the project as it is, if not then the Map, Plan and Report will need to be modified to make funding line.

Mr. Mosley has spoken to Senator Richie's office they have not heard any more on the \$50,000 grant, they will call when they have the resolution that needs to be signed.

SEWER:

The sewer report will be done in the near future. The next step would be to have a meeting with West Monroe and Hastings, Barton & Loguidice will set up the meeting. Mr. Metzger asked if there is a possibility of a grant, Mr. Parker believes there is.

COUNTY LEGISLATOR:

Legislator Reehil:

- Has spoken to the County highway Superintendent and that he was assured that a crew would be down to inspect the County Recreational Trail, to cut back brush and possibly to grade to fill holes and puddles.
- The County had voted to create a County Land Bank, which would offer the County and the Town more options when it came to properties nearing at the end of their useful life. The Land Bank would be enacted if approved by the State.
- People may have heard that the Fitzpatrick Nuclear Plant in Scriba may close. That decision is under consideration by the owner, Entergy and is said to be coming later this month.
- The Draft County Budget was released last week and is under the State Tax Cap with an initial projected increase of 12 cents per thousand of assessed value.
- Appointed to Ad-Hoc Search committee for the recruitment for Commissioner of Social Services and he is on a total of 8 committees now.

MINUTES:

Mr. Moran made the motion to accept the minutes of the September 15th public hearing, September 15th town board meeting and the September 24th budget meeting, seconded by Mr. Metzger.

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

VOUCHERS:

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #10, Dated October 20, 2015:

General Fund	312-359	\$ 36,374.37
Highway Fund	179-197	\$ 18,458.38

Seconded by Mr. Moran.

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

SUPERVISOR:

Mr. Metzger made the motion to approve the Supervisor's report for September dated September 30, 2015, seconded by Mr. Whitney.

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

BUDGET TRANSFERS:

Last month a budget transfer was approved, Ms. Butler would like a motion to rescind this transfer so the money will be taken from the appropriate unreserved fund balance. Mr. Metzger made to motion to rescind highway budget transfer #1 dated September 15, 2015 and approve highway budget transfer #2 dated October 20, 2015,

<u>Over Budget Accounts:</u>	<u>Amounts over:</u>
DB5112.2 Road Improvements	\$ 8,091.08
DB5142.4 Snow C.E.	<u>\$13,389.69</u>
Total Over:	\$21,480.77

Funds to cover over budget accounts:

Appropriate Unreserved Fund Balance	\$166,247.00
	<u>\$ -21,480.77</u>
Balance of Unreserved Fund:	\$144,766.23

Seconded by Mr. Whitney.

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

HIGHWAY:

Mr. Woolridge reported:

- 300 yards of sand has been put up for winter
- Wood is in
- One truck has been turned over for winter
- Leaf vac is ready, advertisement in paper next week
- Town of Amboy would like to borrow two trucks to haul sand, they will pay for fuel, board agreed
- Mr. Suttor has begun trapping beavers for the town

Mr. Woolridge would like a motion to approve the purchase of \$3,500 worth of steel for various projects, (sander bottoms, dump boxes and plow). Mr. Whitney made the motion to approve the purchase of steel for \$3,500, seconded by Mr. Metzger.

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

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

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

TOWN CLERK/TAX COLLECTOR:

Mrs. Haynes wanted to thank Mr. Woolridge for putting the plaques on the donated benches, they look very nice. Mrs. Haynes reported that the total receipts and disbursements for the month of September were \$6,452.75. Mr. Moran 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 Mosley - Yes

ASSESSOR:

Of the two Small Claims Assessment Review (SCAR) hearings in September; a favorable decision was reached in one, however, we are still waiting the decision of the second case. Stay tuned.

On October 2, 2015 we mailed out 347 Enhanced and Senior Renewals. Those exemptions are due by March 1, 2016, and we have already received several of them back.

Lynn has returned to work, and her hours are Monday and Wednesday, 9:00 am – 1:30 pm. She will continue to work assisting with exemptions as well as general administrative duties.

Should you have any further questions, do not hesitate to ask. Mr. Metzger made the motion to accept the Assessor's report as read, seconded by Mr. Moran.

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

JUSTICE:

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

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

PLANNING BOARD:

Mr. Moran made the motion to accept Mr. Williams resignation from the position as planning board chair, but to continue as a voting member, and appoint Ms. Rita Petkash as planning board chair, seconded by Mr. Colesante.

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

Mr. Colesante made the motion to accept the resignation of Mr. George Scriba from the planning board and to appoint current alternate member Mr. Daniel Retajczyk to this vacated seat with the new term of December 31, 2019, seconded by Mr. Metzger.

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

Mr. Dave Antos gave a letter of interest to be a member of the planning board in August. Mr. Colesante made the motion to appoint Mr. Antos to the vacated position of alternate member of the planning board term to expire on December 31, 2017, seconded by Mr. Moran.

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

Mr. Moran would like to recognize all the hard work and time that both Mr. Williams and Mr. Scriba have given to the town. Mr. Mosley made a motion to purchase two plaques to give to these members for years of service, seconded by Mr. Metzger.

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

BOARD OF APPEALS:

None

CORRESPONDENCE:

- Report received from Northshore Volunteer Ambulance

BOARD INITIATIVES AND COMMENT:

Mr. Colesante and Mrs. Lewis will be meeting with the Schwalm family about a bench at the park. Just to clarify what the process will be, the town will order the bench. Money for the bench will be given to the Town Clerk, Mrs. Haynes will then get the information for the plaque that will be purchased.

Mr. Colesante has received a complaint on Riccelli trucks, they are not stopping at the road when they are crossing from pit to pit. Mr. Mosley said he knows it is hard, but if residents can get a truck number the company can track the driver. Mr. Mosley will be contacting Riccelli with the towns concerns on Wednesday.

Questions on high speed internet on Kibbie Lake Rd, Mr. Colesante has a copy of the Time Warner Cable agreement, will be reviewing to see if there is anything the town can do to help this area get service.

Revitalization Committee – they would like a logo and name tags so when they are speaking to people they are recognized, board agreed. They need to remember they can't solicit money.

TUG HILL COMMISSION:

Paul Baxter reported:

- Copies of comparisons of Oswego County Towns new front page was given to the board, Mr. Baxter made some changes to the original given to the board.
- Web site is up to date.
- Extra Summer and Fall brochures were handed out.

RESOLUTION:

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

RESOLVED, THAT:

The Town Board for the Town of Constantia authorizes Kenneth C. Mosley, Supervisor to apply and submit a Justice Court Assistance Program Grant for the purchase of a new furnace and a replacement air conditioner unit which supplies heat and air to the court room.

Seconded by Councilman: **Metzger**

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

Kenneth Mosley	Voted	Yes
Richard Colesante	Voted	Yes
John Metzger	Voted	Yes
Tom Moran	Voted	Yes
Chad Whitney	Voted	Yes

ADJOURN:

At 9:29 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

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