

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD-MARCH 15, 2016
7:30 pm Constantia Town Hall

Present: Kenneth Mosley – Supervisor
Richard Colesante, John Metzger, Thomas Moran – Council Members
Clare Haynes – Town Clerk

Others Present: Eric Pond – Barton & Loguidice P.C.
Roy Reehil – County Legislator
Paul Baxter – Tug Hill Commission
Wayne Hall II – Code Enforcement Officer

Absent: Wayne Woolridge - Highway Superintendent
Warren Bader - Town Attorney
Chad Whitney – Council Member

CALL TO ORDER:

At 7:35 pm Mr. Mosley called the town board meeting to order with the pledge of allegiance.

PUBLIC COMMENT:

None

CODE ENFORCEMENT:

Mr. Gordon Hall has told Mr. Wayne Hall he will be on a two week vacation at the end of April, hopefully after this vacation the property can be considered completed. The board asked Mr. Wayne Hall to contact Mr. Gordon Hall as to what his completion date is, and to be at the next town board meeting.

Ms. Ruth Maser – 1540-44 State Route 49 was in to give an update, they have been working on the inside of the property and on the roof. Mr. Mosley asked when they will be completed with the demolition, when Ms. Maser was last in front of the board Ms. Maser said the demolition will be completed by end of February. The board needs a completion date. The board and Ms. Maser agreed on April 8th to be the completion date. Once the demolition is completed a structural engineer will be needed to verify the rest of the building is sound.

On March 21st Ms. Evonne Confer will be in court again to answer to her summons, Mr. Warren Bader will be there on behalf of the town.

Mr. Colesante asked Mr. Wayne Hall if he could please include a history of complaints along with their resolutions to be included with his monthly report. Mr. Colesante made the motion to accept the Code Officer's report as presented with total receipts for the month of February in the amount of \$980.40, seconded by Mr. Metzger.

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

WATER:

Mr. Eric Pond was at the meeting asking for Amendment No. 7 to Engineering Services Agreement Additional Construction Phase Services of \$10,000.00. Barton & Loguidice have been holding bills for two years hoping for a conclusion to the ongoing litigation, after speaking to Mr. Warren Bader there has been no movement on the litigation so B & L would like to submit the bills they are holding. Mr. Colesante made the motion to authorize Supervisor Mosley to sign Amendment No.7 to Engineering Services Agreement Additional Construction Phase Services dated March 15, 2016, seconded by Mr. Moran.

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

Mr. Colesante asked Mr. Pond if he knows where the Village stands with the water proposal, in the past Mayor Youmans has indicated the charge to Village residents was going to be too much. It was determined that the Town will need a final letter from the Village of Cleveland that they will not be taking the funding as offered. Mr. Pond indicated that having that letter will give Mr. Marshall a clear indication as to the Village of Cleveland intentions. This is a unique situation, DWSRF does do modifications, but does need a clear direction. Mr. Mosley and Mr. Colesante will contact Mayor Youmans to get a letter to the town or to DWSRF.

SEWER:

Discussion turned to a letter received by Mr. Mosley by Mayor Youmans in regards to Cleveland's Waste Water Treatment Plant. In the first study that was done by the Town the first and best option was to send the waste to the Village, but the Village indicated that they did not want to increase the footprint of the existing plant. After discussion, a meeting was set for April 4th at 9:30am to discuss the sewer study that was done for the town of Constantia.

COUNTY LEGISLATOR:

-Legislator Reehil announced that he is leading an economic development planning process for the County and is seeking input from business and municipal leaders via a survey that is posted on the front page of the Community Health and Poverty Reduction Task Force web site oc2030.org.

-Legislator Reehil mentioned that the State may be interested in helping to pressure the owners of abandoned "Zombie Properties," into taking action to repair or remove those properties. For that reason Legislator Reehil requested a list of abandoned properties from Supervisor Mosley. He said the same list can also be delivered to

the County Land Bank for evaluation when they get up and running. Mr. Colesante asked if the Land Bank bring the properties up to standards, yes they do.

-The list of properties that the County will foreclose on to be available soon, and properties that are not redeemed before a certain date will be sold at auction or gifted to the Land Bank after foreclosure.

-Legislator Reehil mentioned that he will be asking the towns, cities and villages in the County to participate in a countywide inventory of infrastructure and housing in order to map that information with the idea being to look at developing better infrastructure in a more regional way.

MINUTES:

Mr. Moran made the motion to accept the minutes of the February 16th town board meeting and February 17th special meeting, seconded by Mr. Metzger.

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

VOUCHERS:

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #3 dated March 15, 2016:

General Fund	79-113	\$438,309.08
Highway Fund	37-53	\$ 38,729.29
NorthShore Water District	4-5	\$ 5,682.93

Seconded by Mr. Moran.

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

SUPERVISOR:

Mr. Moran made the motion to accept the corrected Highway Profit and Loss report for January, seconded by Mr. Metzger.

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

Mr. Colesante then made the motion to accept the Supervisor's report as presented dated February 29, 2016, seconded by Mr. Metzger.

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

HIGHWAY:

Mr. Woolridge is sick, could not attend meeting. The highway employees are now working four 10 hour days. The board was given the Agreement to Spend Town Highway Funds pursuant to provision of Section 284 of the Highway Law, which has been signed by all at meeting. Mr. Colesante made the motion to accept the Highway Superintendent's report, seconded by Mr. Metzger.

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

TOWN CLERK/TAX COLLECTOR:

Mrs. Haynes reported that the total receipts and disbursements for the month of February were \$1,765.40.

Tax collection is going well, as of March 15th \$3,721,048.48 has been collected. Mr. Metzger made the motion to accept the Town Clerk's report as presented, seconded by Mr. Colesante.

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

ASSESSOR:

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 Colesante - Yes Metzger - Yes Mosley – Yes

Mrs. Lynn Tennant has turned in her resignation to Justice Pelon. Justice Pelon has asked Mrs. Clare Haynes to accept the position as court clerk. The board was given information that shows it is legal to have one person hold the position of town clerk and justice clerk.

Mr. Moran made the motion to accept with regret the resignation of court clerk Lynn Tennant, seconded by Mr. Metzger.

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

Mr. Colesante made the motion to appoint Clare Haynes as justice clerk to Justice Stephen Pelon term to expire on December 31, 2016, seconded by Mr. Metzger.

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

DOG CONTROL:

Ms. Ashley told the board she has given out 39 tickets for 2015 which have been given to the court. Mr. Mosley explained that he has been talking to both Mrs. Ashley and Mrs. Haynes about the process. Mrs. Haynes sends original renewal followed by a friendly reminder. If they do not license the dog after that a report is sent to Mrs. Ashley giving her the owners names for her to ticket. The judges then will decide of the fine, if they get their license before court no fine is issued, if they need to come back, that is when the owner will be fined. Mrs. Ashley spoke of her frustration with this process. The owners have had 2 notices and usually one phone call. It is in the local law that they can be fined. Mr. Mosley explained that you cannot tell the judge what to do in their court. Mr. Colesante told Mrs. Ashley to keep writing tickets, don't worry what happens in the court system. Mr.

Metzger asked Mrs. Haynes to be sure to get to the justices a copy of the local law. Mr. Stephen Pelon was in his office and heard and was not happy with the conversation, he came out to tell the board that it is not anyone responsibility to tell the court how to take care of tickets, it is the sole responsibility of the court.

Mr. Moran made the motion to approve the Dog Control Officer's report, seconded by Mr. Colesante.
Carried: Moran – Yes Colesante - Yes Metzger - Yes Mosley – Yes

PLANNING BOARD:

Letter of interest received from Ms. Sandra Touri-Bell to be a member of the planning board, no resume was attached. Mr. Moran requested Mr. Mosely to please contact Ms. Touri-Bell for additional information.

BOARD OF APPEALS:

None

PUBLIC COMMENT:

None

REVITALIZATION COMMITTEE:

Mr. Colesante and Mr. Metzger met with Mrs. Susan LaVigne about the responsibilities of the revitalization committee. They are looking at having another cleanup day with dumpsters in multiple locations. The committee will not be out soliciting donations. There will be an upcoming meeting to speak about sidewalks.

MUNICIPAL BUILDING:

Sketch reviewed earlier.

CORRESPONDENCE:

-North Shore Ambulance Report
-OCWA Letter

BOARD COMMENT:

-Regular town board meeting will be moved from April 19th to April 21st due to the presidential primary being held at the town hall.

-Deferred Compensation Plan

COUNCILMAN: **MORAN**

Introduced the following and moved its adoption:

Town of Constantia Adoption of The State of New York Deferred Compensation Plan

WHEREAS, the town of Constantia wishes to adopt the Deferred Compensation Plan for Employees of the State of New York and Other Participating Public Jurisdictions (the "Plan") for the voluntary participation of all eligible employees; and

WHEREAS, the town of Constantia is a local public employer eligible to adopt the Plan pursuant to Section 5 of the State Finance Law;* and

WHEREAS, the town of Constantia has reviewed the Plan established in accordance with Section 457 of the Internal Revenue Code and Section 5 of the State Finance Law of the State of New York; and

WHEREAS, the purpose of the Plan is to encourage employees to make and continue careers with the town of Constantia by providing eligible employees with a convenient and tax-favored method of saving on a regular and long-term basis and thereby provide for their retirement;

NOW, THEREFORE, it is hereby:

RESOLVED, that the town of Constantia hereby adopts the Plan for the voluntary participation of all eligible employees; and it is further

RESOLVED, that the appropriate officials of the town of Constantia are hereby authorized to take such actions and enter such agreements as are required or necessary for the adoption, implementation, and maintenance of the Plan; and it is further

RESOLVED, that the Administrative Services Agency is hereby authorized to file copies of these resolutions and other required documents with the President of the State of New York Civil Service Commission.

Adopted the 15th day of March, 2016, at a meeting of the Constantia Town Board.

I hereby certify that the town of Constantia is a local public employer within the meaning of Section 5 of the State Finance Law and that the adoption of the Plan has received all required approvals of any local governing body or officer and otherwise complies with local law.

Seconded by Councilman: **Colesante**

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	Absent

-2015 Justice audit resolution, hold until April meeting as Mr. Moran and Mr. Metzger did the audit and would like a full board to approve resolution.

-Sidewalks, Mr. Mosley has spoken to Mr. Ducet from NYS, Constantia has been added to the capital plan. There will be a 5 year plan put into place, funding is always a question but 2018 design work should start.

-Donation received for a memorial bench for David Schwalm.

TUG HILL COMMISSION:

Paul Baxter reported:

-Microsoft is more aggressively promoting the upgrade of Windows 7 and 8 to Windows 10. If you do not wish to take this step at this time, there is a block that can be done. Mr. Baxter is willing to help offices in the town that wish to block Window 10 for the time being.

-The Tug Hill Commission and the State Comptroller's office recently conducted a workshop on the town board's fiscal oversight responsibility and red flags for fraud. Mr. Baxter gave the board a copy of the handout.

-Central Square School Board of Education met last Monday night and are considering redistricting, and additional future measures including possible closure of Hastings Mallory Elementary or the Middle School, however, not being proposed in the 2016-17 budget year.

-Web site is up to date with everything that has been submitted.

ADJOURN:

At 9:41 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

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