

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD – October 16, 2018
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor
Richard Colesante, Thomas Moran, John Metzger, Frank Tomaino– Council Members
Clare Haynes – Town Clerk
Wayne Woolridge – Highway Superintendent
Warren Bader – Town Attorney

Others Present: George Kalkowsky – Barton & Loguidice
Paul Baxter – Tug Hill Commission

CALL TO ORDER:

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

PUBLIC COMMENT:

Mr. Gibbs from Auringer Rd asking about the speed limit request, Mr. Woolridge responded that it will take about a year until the Town will get a response. All paperwork has been filed, it goes to the County and then to the State for final decision.

Ms. Root-Pietrowcz from 6-18 Camper Dr. asked when the curb stop will be placed on her property. Mr. Kalkowsky responded that this is an extra work order, Highlander Construction was directed today to do the install. This property is a little different they had to upsize the service because of the distance and the number of homes. It should be placed to the far left of the driveway.

BERNHARDS BAY WATER DISTRICT EXTENSION #1:

- Water service installed & ready
- B&L has prepared the necessary Map, Plan & Report for Town Board’s review and acceptance
- B&L has prepared revised SEQRA documents for Town Board’s review (Full EAF)
 - Part 1 FEAF changes:
 - Updated project description to include extension
 - Updated B&L contact info (the 2015 contact no longer works here and we were still at the old address)
 - D.1.b- total site acreage updated to 1,820 (added 45 ac for new parcel); added 0.0003 ac of disturbance to account for new lateral installation)
 - D.2.c.i- updated daily usage to 75,865 GPD (added 165 GPD for new service)
 - D.2.c.ii- updated to indicate that district expansion is needed
 - D.2.c.iii- described extension
 - Part 3 FEAF changes:
 - Updated B&L contact info
- To move forward the Town Board should:
 - Accept Map, Plan & Report
 - Determine Environmental Significance (SEQRA)
 - Schedule Public Hearing for Formation of Extension No 1

Mr. Kalkowsky brought with him the Map, Plan and Report for the Bernhards Bay Water District Extension #1, he is asking the board for approval. Mr. Metzger made the motion to accept the Map, Plan and Report dated October 2018 for the Bernhards Bay Water District Extension No. 1, seconded by Mr. Colesante.

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

**RESOLUTION REGARDING THE STATE ENVIRONMENTAL QUALITY REVIEW ACT PROCESS
AMENDMENT FOR THE BERNHARDS BAY WATER DISTRICT PROJECT**

Councilman Colesante made the motion to adopt the following:

WHEREAS, The Town of Constantia (Town) is progressing the Bernhards Bay Water District Project (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 the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617, the Town of Constantia previously completed the SEQRA process for the Project and passed a Negative Declaration for the proposed Bernhards Bay Water District Project (“Project”) on October 20, 2015; and

WHEREAS, the previously reviewed project scope included the formation of the Bernhards Bay Water District; installation of approximately 2.5 miles of new 16-inch water main and 6.4 miles of 8-inch water main and appurtenances; and

WHEREAS, the Project now involves the expansion of the existing Bernhards Bay Water District (Bernhards Bay Water District Extension No. 1) to include one (1) additional water service; and

WHEREAS, the Town, as Lead Agency, has updated the Parts 1, 2, and 3 of the Full Environmental Assessment Form (FEAF) to include the additional water service for review by the Town, in support of re-issuing a Determination of Significance; and

WHEREAS, pursuant to the SEQRA Regulations, Town of Constantia Town Board, as Lead Agency, considered the significance of the potential environmental impacts of the amended Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, (b) examining the amended FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF and Part 3 Evaluation Document, 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 Town of Constantia Town Board has amended Parts 1, 2, and 3 of the FEAF for the Project; and it is further

RESOLVED, that the Town of Constantia Town Board has completed a review of the amended SEQRA FEAF documents and confirms that the project is a Type I Action which has been determined will not have any significant adverse impact on the environment as provided in the amended FEAF documents attached hereto and hereby made a part thereof; and it is further

RESOLVED, that the Supervisor of the Town of Constantia Town Board is hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this amended SEQRA process; and

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

Seconded by Mr. Tomaino

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
Frank Tomaino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

A public hearing will be set for November 8th at 7pm in the Constantia Town Hall.

BERNHARDS BAY WATER DISTRICT:

- ✓ Highlander Construction has submitted Pay Application No 6. B&L Recommends payment as requested.
- ✓ 99% construction completed to date.
 - 97% of the project has been accepted by OCWA. Approximately 1,300' on Johnson Road awaiting final testing and certification
 - <https://www.ocwa.org/projects/new-water-districts-and-district-expansions/>
- ✓ Punch-list issued to Highland Construction, Inc. on 10/15/2018
- ✓ Construction questions can be directed to Senior Inspector Neil Zimmer (cell) 315-350-0831
- ✓ OCWA will handle administration of the new water system including billing and service issues. To schedule installation of water meter call:

OCWA Customer Service 315-455-7061 ext. 3335

<https://www.ocwa.org/new-customer/new-water-service-installation/>

CONSTANTIA SEWER PROJECT:

- ✓ Workshop meeting to be scheduled when we have more feedback on the funding approach and start to cater the PER accordingly. Funding announcements expected this Fall.
- ✓ PER will include estimate of cost for full build-out of system
- ✓ Steps to Proceed
 - Final Draft of Feasibility Study, Map, Plan & Report – December 2018
 - SEQRA EAF Part 1 – December 2018
 - Intent to Be Lead Agency Resolution
 - Coordinated Review between December and January meetings
 - SEQRA EAF Parts 2 & 3 – January 2019
 - Declare Lead Agency Resolution
 - Determination of Significant (i.e. negative declaration)
 - Accept the Feasibility Study, Map Plan & Report – January 2019
 - Schedule Public Hearing for District Formation – January 2019
 - Hold public hearing at February 2019 meeting
 - Pass Resolution forming District(s) subject to Permissive Referendum – February 2019
 - Final Order to establish Sewer District(s) after Referendum Period has lapsed – March 2019
 - If required by Attorney: Schedule a Public Hearing for Bond Resolution – March 2019
 - Public Hearing would be Held in April 2019 (if required)
 - Pass Bond Resolution – March or April 2019
 - 20 day Estoppel Period concludes in May 2019
 - File WIIA Application and CWSRF IUP Listing Form– May 2019

Mr. Kalowsky believes because of the size of this district, the Map, Plan and Report will be divided into 2 phases. This is a very big district and DEC being the funding agency will have a lot to say as to how it will be handled. It currently is being created using the original 1100 EDU's, as to how the districts will be split will have to wait until discussions with DEC. There will be lots of information in the coming months.

MINUTES:

Mr. Metzger made the motion to accept the following minutes: September 18th town board and October 1st supervisor-budget meeting, seconded by Mr. Moran.

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

VOUCHERS:

Mr. Moran made the motion to accept the following vouchers as listed on Abstract #10, Dated October 16, 2018:

General Fund	328-361	\$ 19,626.91
Highway Fund	153-168	\$103,344.97
Bernhards Bay Water	25-26	\$233,341.28

Seconded by Mr. Tomaino.

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

SUPERVISOR:

Mr. Moran read the following into the minutes:

Referring to Budget Transfer #3 for September 2018 the following General Fund Accounts are over budget:

A1910.4 Municipal Insurance	\$ 720.00
A6410.4 Publicity	<u>\$ 950.00</u>
Total Over Budget	\$1,670.00

I therefore motion to transfer \$1,670.00 from Contingency Account A1990.4 to replenish the aforementioned accounts. This will leave \$83,272.78 balance in the Contingency Account.

Likewise referring to Budget Transfer #1 for September 2018 Highway Fund Account DB5130.1 Machinery PS is over budget \$2,677.20, therefore my motion includes transferring \$2,677.20 from DA5120.1 Bridges PS Account to replenish DB5130.1, leaving \$1,322.80 in DA5120.1 Bridges Account. Seconded by Mr. Metzger.

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

Mr. Moran made the motion to approve the Supervisor’s report dated September 30, 2018, seconded by Mr. Metzger.

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

HIGHWAY:

Mr. Woolridge reported:

- Paving is finished
- Making sand this week and next will be hauling it to the garage
- 10/29/18 will start leaf pickup, please call highway garage

Mr. Colesante asked if there was any additional information on the A vs B Fund back from the County. Mrs. Haynes will follow up with Mr. Mitchell County Attorney. If the County does not come up with an answer Mr. Colesante would like to send with the budget a letter requesting B Funds be removed from DB Funds.

Mr. Metzger asked about the speed limit signs for Kibbie Lake Rd, Mr. Woolridge has ordered them, they need to be picked up.

Mr. Colesante made the motion to accept the Highway Superintendent’s report as given, seconded by Mr. Metzger.

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

TOWN CLERK:

COUNCILMAN: Metzger

Introduced the following and moved its adoption:

BE IT RESOLVED: The Town Board for the Town of Constantia, does hereby adopt a service fee of \$10.00 for checks which are dishonored and returned for any reason and be it further

RESOLVED: That it will be a requirement that such check be replaced with either cash or certified funds

BE IT FURTHER RESOLVED: that this resolution shall take effect immediately.

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
Frank Tomaino	Voted	Yes

Mrs. Haynes reported that the total receipts and disbursements for the Town Clerk’s Office for the month of September were \$5,515.50. Mr. Tomaino made the motion to accept the Town Clerk report as presented, seconded by Mr. Colesante.

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

ASSESSOR:

No report

CODE ENFORCEMENT:

Mr. Haynes submitted the following report:

September update: 9/1/2018-9/30-2018

Building Permits:

Open permits from 2016 - Still at 8 open permits working with property owners

Open permits from 2017 - Reduced from 40 to 19

Open permits from 2018 - 59 open closed out 9

Other Permits:

Sign permits – 1

Demolition Permit – 1

Board of Appeals – 1 – Side yard variance

Subdivisions – 3

It has been a busy month, I completed and passed my second training class. The third class will start October 23rd and run until October 25th.

I have been following up on open violations, I have met with many of the home owners and have been able to close out a few and some are close to compliance. I have received quite a few neighbor complaints, I have reached out to the property owners and will follow up with them this month. I have issued two appearance tickets for the court, Sciacca – 52 Shacksbush Rd and Seterus, Inc. 158-160 Doris Park Dr. and I am hopeful for a resolution.

As winter approaches, I plan on starting the business inspections as they have not been done in two years.

As always, please feel free to contact me with any questions. Mr. Colesante made the motion to accept Code Enforcement Officer's report, seconded by Mr. Moran.

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

JUSTICE:

Mr. Metzger made the motion to accept Justice Pelon's and Justice Simpson's report for September seconded by Mr. Colesante.

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

DOG CONTROL:

Mr. Colesante made the motion to accept the Dog Control Officer's report as received for September, seconded by Mr. Tomaino.

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

TUG HILL COMMISSION:

Mr. Baxter reported:

1. I have completed my annual comparison between Oswego County towns for the current fiscal year across multiple categories. I have a copy of it for you tonight if anyone still needs a copy; I gave this to the town initially earlier this month.
2. The Tug Hill Commission will celebrate its 45th anniversary on Thursday, November 8, and the location is pretty convenient for us – the Grape N Grog, 85 Taberg Street, Camden. The cost is \$25 per person, with a cash bar. Tug Hill is requesting RSVP with a check made payable to NYS Tug Hill Commission by Friday, October 26th. Please call 888-785-2380 with any questions.
3. The recent presentation by SUNY Oswego on lake effect snow is now online at: www.tughill.org/services/training/workshops/.
4. The Tug Hill Commission is currently in the process of scheduling its 2019 meetings, and they have a meeting tentatively scheduled for the village of Cleveland on Monday, September 16. I'll talk with you further about this after the Commission has adopted its 2019 meeting schedule and as we get closer to September 2019.
5. I have been assisting the town bookkeeper in preparation of the town budget for 2019.

CORRESPONDENCE:

Mr. Mosley has spoken to Mr. Wheeler – Assessor for the town about 312.05-03-17.01 – Zotti, 639 State Route 49. Ms. Zotti is requesting a change in EDU's for her property from two to one, Ms. Zotti was at the October 1st Supervisor/Budget meeting and discussed the situation with the members present. When Highlander Construction was putting in curb stops, the property at 639 State Route 49 received 2 curb stops. After discussion at the October 1st meeting, Mr. Mosley spoke to Mr. Wheeler who is requesting the decision in writing. Mr. Colesante made the motion to authorize the decrease in EDU's for 312.05-03-17.01 to one, seconded by Mr. Tomaino.

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

Mr. Anthony Renne- 11 Rock Shore Ln also is requesting a relief from an EDU. Mr. Renne merged two properties but did the merge after the March 1st deadline. After discussion, the board asked Mr. Mosley to follow up with Mr. Kalkowsky to see if there was a curb stop installed on 312.10-02-23.01.

Additionally a letter was received from Robert and Louise Asmus requesting that parcel 310.05-03-37.03 be deemed a non-serviceable parcel in the water district. More information will be needed on this parcel before a decision can be made.

PUBLIC COMMENT:

A question was asked as to the old Nice & Easy property if a decision was made by the board. There are still some concerns as to the state of the building. Will there be additional problems? Mr. Mosley will contact the owner to ask if the Town could inspect the building. Mr. Metzger would like to have a price for demolition.

BOARD INITIATIVES AND COMMENTS:

- Budget meeting Thursday October 18th at 6pm.
- Public hearing on the 2019 Budget will be November 8th at 7:30pm.
- NYS Department of Labor Sexual Harassment Prevention Policy that is required to be approved, policy given to board at the October 1st Supervisor/Budget meeting. Mr. Metzger requested Mr. Bader review the policy. The law indicated that a policy was to be adopted by October 9th, but there was not sufficient notification to get the policy in place in a timely manner. If Mr. Bader approves, the board can approve at the October 18th Budget meeting.
- Mr. Robbins and Mr. Denney from North Shore Ambulance give the board a letter of response to their questions from the October 1st meeting. A copy of the letter is on file at the Town Clerk's Office.

ADJOURN:

At 9:20 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

arried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Mosley – Yes-