

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD – JANUARY 15, 2019**  
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor  
Richard Colesante, John Metzger, Thomas Moran – Council Members  
Clare Haynes – Town Clerk  
Wayne Woolridge - Highway Superintendent  
Others Present: Paul Baxter – Tug Hill Commission  
Absent: Frank Tomaino – Council Member  
Warren Bader - Town Attorney

**CALL TO ORDER:**

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

**PUBLIC COMMENT:**

Mr. Schwarz was in to get an update on the property at 114 Doris Park Dr. Mr. Mosley read from CEO's report that says they missed their court date, they are being summoned by the Judge for attendance on January 28, 2019.

**WATER:**

Change order #4 has been agreed on by both Barton & Loguidice and Highlander Construction. Mr. Metzger made the motion to authorize Supervisor Mosley to sign change order #4 dated December 19, 2018 for \$42,478.27, seconded by Mr. Moran.

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

**SEWER:**

Joint sewer meeting Tuesday February 5<sup>th</sup> at 6pm.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the December 18th Town Board meeting, Seconded by Mr. Colesante.

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

**VOUCHERS:**

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #1 Dated January 15, 2019:

General Fund	1-37	\$ 35,991.17
Highway Fund	1-9	\$ 13,136.58
Bernhards Bay Water District	1-2	\$ 11,489.11
North Shore Water District	1	\$ 6,624.48

Seconded by Mr. Metzger.

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

**BUDGET TRANSFER:**

Mr. Moran made the following motion for budget transfer #6 for December 2018, General Fund, the following accounts are over budget:

A1330.4 Tax Collector CE	\$ 25.00
A9030.82 Employee Medicare	<u>\$ 90.11</u>
Total Over Budget	\$115.11

Also a computer error in the November 2018 General Fund Budget Transfer for A9060.8 Medical Insurance has resulted in \$446.66 being credited to A9060.8 and to A1990.4 Contingency. I therefore make a motion to increase the Contingency Account A1990.4 by \$466.66 credit, and to transfer \$115.11 from Contingency to replenish the two aforementioned accounts. The result will leave \$79,588.87 balance in Contingency.

Continuing my motion, and referring to Highway Fund Budget Transfer #4 for December 2018 the following accounts are over budget:

DA5120.1 Bridges PS	\$ 607.42
DB5130.1 Machinery PS	\$ 1,447.20
DB5140.1 Brush and Weeds PS	\$10,748.11
DB9030.81 Social Security	<u>\$ 299.03</u>
Total Over Budget:	\$13,101.76

Ms. Butler has calculated the actual Unappropriated Fund Balance as \$203,857.00, therefore \$13,101.76 will be transferred from this fund balance to replenish the over budget accounts. Also previous budget transfers of \$50,953.44 in October 2018 and \$1,529.94 in November 2018 which were addressed by using the estimated fund balance, were taken from the actual fund balance. The result of these transfers will leave \$203,857.00 in the actual Unappropriated Fund Balance. This concludes the motion, seconded by Mr. Metzger.

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

**SUPERVISOR:**

Mr. Moran made the motion to approve the Supervisor's report dated December 31, 2018, seconded by Mr. Colesante.

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

**HIGHWAY:**

Mr. Woolridge reported:

- Patching pot holes
- Doing tree work, Mr. Sarchioto's trees were taken care of
- Excavator is on Shacksbush to pull stumps going to move it to Lewis Rd
- Spoke to LaValley about a fuel island, they will get back to Mr. Woolridge
- Cleveland is using our fuel, their tanks have been delivered, waiting on pumps. Should be able to bill them next month for their fuel usage.
- Spoke to Bush Electronics on the antenna
- Salt was delivered today

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

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

**TOWN CLERK – TAX COLLECTOR:**

Mrs. Haynes reported that the total receipts and disbursements for the Town Clerk's Office for the month of December were \$2,330.80.

The 2019 County of Oswego Tax Warrant was received and dated December 31, 2018:

Total to County: \$3,008,664.75

Total to Town Supervisor \$2,187,097.80

Total Warrant \$5,195,762.55

Total collected to date: \$ 951,914.06

Mr. Metzger made the motion to accept the Town Clerk's and Tax Collector's report as presented, seconded by Mr. Moran.

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

Mrs. Haynes asked Mr. Metzger if he figured out why the tax bills seemed to be much higher this year. Mrs. Haynes said for example her tax bill on average goes up \$40 a year, this year it is \$80 that is a big difference. Mr. Moran had the breakdown from last year and it seems like the County portion is where the biggest uptick is, mainly Community College. There is a greater break down on the tax bill, this could be part of the issue.

**ASSESSOR:**

No Report

**CODE ENFORCEMENT:**

December update: 12/1/2018-12/31/2018

**Building Permits:**

Open permits from 2016 - 7 open permits working with property owners

Open permits from 2017 – 17 open

Open permits from 2018 - 53 open

Open permits from 2019 – 3

**Other Permits:**

Commercial Operating Permits – 1

I will be attending school 1/15-1/17 this will be number 5 of 6 classes.

I have submitted the 2018 103 report to New York State Code Enforcement Office.

**Ongoing court cases:**

158-160 Doris Park Dr. will be in court on 1/14/19

114 Doris Park Dr. missed their court date, will be summoned by the Judge to attend 1/28/19

Kleis Equipment has installed their fence between their property and the Hamner's

Two new businesses have opened recently:

Bit of Butter Diner – Spruce Grove

Annette's Lakeside County Diner - 14 James Pl Bernhards Bay

I will be moving forward on violations on 3 properties, I will be working with the Assessor's Office as two of the properties show vacant on the tax rolls when they actually have burned out houses. More information on this after I have had a chance to speak to Mr. Wheeler.

As always, please feel free to contact me with any questions.

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

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

**JUSTICE:**

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

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

**DOG CONTROL:**

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

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

**TUG HILL COMMISSION:**

Paul Baxter reported:

1. The program has been mailed out for the 2019 Tug Hill Local Government Conference, scheduled for Thursday, March 28 at Jefferson Community College in Watertown. Conference details and the registration form can be found online at: [www.tughill.org/lgc2019](http://www.tughill.org/lgc2019) . We encourage attendees to fill out their registration form online and print it out to avoid any errors in transcription. Note that registrations must be postmarked by March 8 to get the best rate. I hope to see you there.
2. We are currently working with the towns of Amboy, Parish, and Williamstown, and other Tug Hill communities containing wildlife management area (WMA) lands to see whether it might be possible to get some amount of payment in lieu of taxes as the state does with certain other WMAs. Supervisor Ken Mosley and North Shore Council of Governments chair Rip Colesante was invited to a meeting concerning this in Parish. The group decided that this was worth pursuing, and a resolution has been developed for your consideration which you could consider if you are ready, or take under advisement for possible action at your February meeting. Your support of this resolution creates no obligation for the town of Constantia.
3. We continue to work toward scheduling the next North Shore Council of Governments meeting, now tentatively scheduled the last week of January. I hope to get further word about this out soon.
4. The Tug Hill Commission will hold its January meeting on Monday, January 28 at 10 a.m. at the Parish Village Gym, Main Street, Parish. All are welcome to attend.

Mr. Baxter also brought a resolution that the board might want to consider passing either tonight or at the February Town Board meeting. The resolution address New York State and their ownership of wildlife management areas in the Town of Constantia. Other municipalities do get tax revenue from the State, this resolution addresses the State requesting the Town also receive real property taxes on this land.

Mr. Colesante made the motion to accept the following resolution:

**WHEREAS** The State of New York through the New York State Department of Conservation possesses the Happy Valley Wildlife Management Area located in the County of Oswego in the Towns of Albion, Amboy, Parish and Williamstown; the Little John Wildlife Management Area located in part in the County of Oswego, Town of Boylston and the Three Mile Bay Wildlife Management Area in the County of Oswego in the Towns of West Monroe and Constantia; and

**WHEREAS** there is a precedent in many other counties; notably in the legislatively-defined Tug Hill Region in Oswego County for the town of Redfield and in Jefferson County for the towns of Lorraine and Worth for the remainder of the Little John Wildlife Management Area; and in Lewis County for the town of Montague for the Tug Hill Wildlife Management Area, that similarly situated lands that are possessed by the state are subject to taxation under subdivision (g) of Section 532 of the Real Property Tax Law; and

**WHEREAS** the lands included in the Happy Valley, Little John and Three Mile Bay Wildlife Management Areas and not currently subject to state taxation cover approximately 13,649 acres and represent a significant amount of untaxed property for the Towns of Albion, Amboy, Parish, Williamstown, Boylston, West Monroe and Constantia; and

**WHEREAS** these lands are a critical component for the State's plan to conserve open space by providing vital wildlife habitat, protecting natural resources such as water and wetlands and allowing public access to scenic open space for recreation; and

**Now**, upon the recommendation of the Town Board of the Town of Constantia, be it

**RESOLVED** that the Town of Constantia hereby supports legislation to amend Real Property Tax Law Section 532, subsection (g) to add to the list of Wildlife Management Area lands found within the County of Oswego, in the towns of Albion, Amboy, Parish, Williamstown, Boylston, West Monroe and Constantia to the State Legislature by State Senator Patty Ritchie and State Assemblyman William Barclay.

Seconded by Mr. Metzger.

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

Mr. Metzger asked Mr. Baxter if he would be willing to help with some cyber issues that the Town might have. Mr. Baxter is willing to give the Town some recommendations.

**CORRESPONDENCE:**

-Letter received from NYS Unified Court – Justice Audit, Mr. Moran told the board if Mr. Mosley will set up the date, time and place and if Mr. Metzger will be lead auditor, Mr. Moran will attend.

-NYS Tug Hill Meeting – January 28<sup>th</sup> from 10-11:30 Parish Village Gym.

**BOARD INITIATIVES AND COMMENTS:**

Mr. Gibbs, Court Security was left off the list for the Organizational Meeting, he will need to be reappointed. Mr. Colesante made the motion to appoint Mr. Daniel Gibbs as Court Security, term to expire 12/31/2019, seconded by Mr. Moran.

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

Letter sent to Mr. Hess, National Grid about the LED street lighting project, response has been received and the voucher was signed today for the project.

**ADJOURN:**

At 8:41 pm Mr. Metzger made the motion to adjourn, seconded by Mr. Colesante.

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