

TOWN OF CONSTANTIA
MINUTES – Public Hearing Sewer Formation – June 4, 2019
6:30 pm Constantia Town Hall

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

Others Present: Dustin Clark, David Powers – Barton & Logudice
Laureen Tackman – Mayor, Village of Cleveland
Zach Avery – DPW Superintendent - Village of Cleveland
Paul Baxter – Tug Hill Commission

CALL TO ORDER:

At 6:30 pm Mr. Mosley called the town board meeting to order with the pledge of allegiance.
Per Mr. Moran there were approximately 35 residents in attendance at this hearing, including officials.

PURPOSE:

The purpose of this public hearing is to hear comments on the formation of the Constantia - Bernhards Bay Sewer District. Mr. Mosley will open the meeting to Mr. Clark after his presentation questions will be answered.

SEWER:

The town of Constantia has always desired sewers, the stumbling block was the cost. The Town has done a lot of work to get to where we are today. The general service area is State Route 49 from the Cleveland town line to West Monroe town line including the hamlet area of Constantia. The sewage will be going to the Village of Cleveland WWTP that plant will need to be upgraded to handle the additional flows. The district was originally two projects but with the additional grants, the district can be done as one.

This project is a turn key project which means there is no additional costs to the residents to actually hook up to the sewer line. The district will supply:

- the grinder pump
- lateral from the home to the main
- if electrical needs to be upgraded to handle the grinder pump the district will make the necessary upgrades
- decommission of the septic tank

The reason for this quick meeting and turn around is the funding deadline is July 26th and there is a lot of administrative work that needs to be completed before then. One major portion of the application is the forming of the district, this is just the first step, there will be many more to follow.

These grants are very competitive, it is always beneficial to have letters of support from residents. If you would like to submit a letter of support please address them to the Constantia Town Board and get them to Mrs. Haynes so they can be submitted with the funding application.

QUESTIONS:

Mr. Warford - Auringer Rd. asked why wasn't the entire Town considered for sewers? The board members generally followed the route of the water system, not saying other areas of the Town don't need sewers, but you have to start somewhere. There is always the possibility of extensions after this project gets under way.

Ms. Cottet asked about the response from the survey of the residents on State Route 49 from about the curve at Frederick St. to the West Monroe town line what as the residents' responses? Overall the approval rate is 60%, the Town did the original mail surveys with a positive response. The town board went the extra step to hire a company to randomly choose 50 residents that did not return the survey, of these random residents, again the response was in favor for sewers.

The questions was asked about zoning, Mr. Colesante said we don't have zoning but we do have the Land Development Law which has incorporated in the law the guidelines for when the Town did get municipal sewers and water. Mr. Colesante did say that he does not believe there will be a big rush for people to move into Constantia and he believes that has more to do with the location and its proximity to Interstate 81.

How long will the \$840 be charged? The loan is for 30 years, but after 30 years the infrastructure will need upgrading.

If the project is not approved as one, will you change it back to the two smaller projects. Mr. Clark does not want to do that, this is a good project and will get the attention of the funding agencies.

Mrs. Wilding asked if maybe a form letter, go door to door to get people to sign the letters. Mr. Clark stated that original letters are much better than form letters.

Are the grinder pumps shared? No, each house will have their own.

How much is the electric charge for the grinder pump? About \$20 yearly, that charge is within the \$840 yearly sewer charge.

Would it be helpful to send letters to other political leaders? You can, but it is nice to send them with the funding package. Typically Assembly Members and Senators will be supportive of any project in their districts.

The Map Plan and Report is available for review at the Town Clerk's Office during normal business hours.

When will shovels be in the ground? If everything goes smoothly not until 2022 and the construction will start at the WWTP.

Cut off for letters is mid-July so the application can be submitted by July 26th.

While the WWTP is being upgraded will they start on the sewer lines? Not typically, the WWTP will need to be pretty far along to handle the flow. There is nothing worse than having the lines ready and not being able use them.

What side of the road will the lines be run? There are lots of factors on where the lines will be, must wait for the design phase to have the answer for this.

What is the breakdown of the \$840:

- \$ 80 goes to a reserve account for short lived assets (grinder pumps)
- \$140 for treatment
- \$600 debt service
- \$ 20 power

Mr. Warford asked why was Auringer Rd left out, it is right in the middle of Town. Mr. Colesante answered that the area surveyed was the same area as the water district. Mr. Colesante does believe surveys are done so far in advance that by the time the districts are formed many times the original residents no longer live there. This is a frustrating part of forming districts.

When will the residents see the charge on their tax bills? It should be a few years.

When will you know if the Town was awarded the grant? Usually around November.

What if you have to go across another parcel from my residence to the main line. An easement or look for a work around. Every house will need an easement for access to the grinder pump. Will that be an issue when I want to sell my property, it should not have any affect as it is part of the deed.

Who will pay for the sewers? Only tax parcels in the district will pay.

Mr. Colesante asked how residents in attendance heard about the meeting. Electronic sign and Facebook.

RESOLUTION:

With all the questions answered Mr. Bader read the following resolution:

At a Special Meeting of the Town of Constantia Town Board, Oswego County, New York, held at the Town Hall, located at 14 Frederick Street, Constantia, New York on June 4, 2019 at 6:30 p.m.

The meeting was called to order by the Supervisor, and upon roll being called, there were:

PRESENT:	Ken Mosley	Supervisor
	Richard Colesante	Councilor
	John Metzger	Councilor
	Tom Moran	Councilor
	Frank Tomaino	Councilor

**RESOLUTION AND ORDER OF
THE TOWN OF CONSTANTIA TOWN BOARD
TO APPROVE THE FORMATION OF THE TOWN OF CONSTANTIA SEWER DISTRICT
NO. 1 PURSUANT TO ARTICLE 12-A OF THE TOWN LAW
(To Be Known Generally as "Constantia-Bernhard's Bay Sewer District")**

Subject to a Permissive Referendum

Councilor Metzger moved and Councilor Colesante seconded the following resolution.

WHEREAS, the Town of Constantia has become aware of a general interest and desire in the provision of public sewer service in portions of the Town of Constantia generally along the northern shore of Oneida Lake and along the State Route 49 corridor; and

WHEREAS, previously the Town of Constantia Town Board authorized the preparation of a Map, Plan and Report for consideration of the proposed sewer district; and

WHEREAS, a Map, Plan and Report, prepared by Barton & Loguidice, DPC, competent engineers duly licensed in the State of New York, dated May 2019, has been prepared in such manner and in such detail as

heretofore has been determined by request of the Town of Constantia Town Board, relating to the formation and construction, pursuant to Town Law Article 12-A, of a proposed Sewer District to be known and identified as the “Town of Constantia Sewer District No. 1 (Constantia-Bernhard’s Bay Sewer District)” in the Town of Constantia, Oswego County, New York (the “Sewer District”); and

WHEREAS, the Map, Plan and Report with respect to said Sewer District has been duly filed in the Office of the Town Clerk of the Town of Constantia, New York; and

WHEREAS, the boundaries of the proposed Sewer District are those properties and areas within the Town of Constantia as set forth in Schedule “A” attached hereto and made a part hereof; and

WHEREAS, the Sewer District improvements include those described in the Map, Plan and Report and consist generally of the construction of approximately 24 miles of low-pressure sewer main with two (2) pump stations, and air release manholes and cleanouts spaced at equal intervals throughout the system; each non-vacant parcel in the proposed district will have a complete grinder pump assembly, gravity and pressure lateral, and electrical grinder pump connection made for their property, as well as their existing septic tank decommissioned; the WWTP improvements include a new two-chamber packaged SBR treatment facility with extended aeration EQ and post EQ chambers; the existing DAVCO tank will be converted to an aerobic sludge digester, and a new sludge press, filter building with filter system, and UV disinfection system will be installed at the existing WWTP site; and

WHEREAS, the Town Board previously conducted an environmental review of the proposed Sewer District pursuant to the New York State Environmental Quality Review Act (“SEQRA”) and determined that the project is a Type 1 Action, that the Town Board would act as lead agency and that a Full Environmental Assessment Form would be prepared; and

WHEREAS, having given due consideration to the impact that the creation and construction of the Sewer District may have on the environment, on April 1, 2019 the Town Board determined that the project would not have a significant impact on the environment and therefore issued a Negative Declaration for purposes of SEQRA; and

WHEREAS, the maximum amount proposed to be expended for the creation and construction of the Sewer District is estimated to be Thirty Nine Million Fifteen Thousand and 00/100 (\$39,015,000.00) Dollars and the plan of financing includes the issuance of bonds of the Town to finance said cost and the assessment, levy and collection of special assessments shall be borne entirely by the properties located within the described benefitted areas including the several lots and parcels of land within said benefitted areas as associated with the Sewer District, which the Town Board shall determine and specify to be especially benefitted thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, as generally described in Schedule “B” and as set forth more fully in the Map, Plan and Report, and further that the Town of Constantia has determined to seek and obtain public sources of funding and financing through the New York State Environmental Facilities Corporation (“NYSEFC”), the United States Department of Agriculture – Rural Development (“USDA-RD”) and the New York State Department of Environmental Conservation (“DEC”), as well as other sources, for the construction and administrative costs associated with the creation and construction of the Sewer District; and

WHEREAS, the estimated cost of the Sewer District to the “typical property” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

WHEREAS, the estimated cost of the Sewer District to the “typical one-family home” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

WHEREAS, the estimated cost of the Sewer District to a “two-family home” is One Thousand Five Hundred Thirty-Two and 00/100 (\$1,532.00) Dollars; and

WHEREAS, there are no estimated hook-up costs because the project was designed as a “turn-key” project; and

WHEREAS, the cost and expenses of operation and maintenance of said Sewer District, shall be a function of charges to the benefitted property owners and shall not be a general charge against the Town; and

WHEREAS, the Town Board has heretofore caused to be prepared and filed for public inspection with the Town of Clerk, a detailed explanation of how such estimates were computed; and;

WHEREAS, a Public Hearing Order and Resolution was adopted by the Town Board on May 16, 2019 for the hearing of all persons interested in this matter at a meeting of the Town Board to be held at the Town of Constantia Town Hall, 14 Frederick Street, Constantia, New York on June 4, 2019 at 6:30 p.m. to consider the formation of the Town of Constantia Sewer District No. 1 (Constantia-Bernhard’s Bay Sewer District), and to hear all persons interest in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and

WHEREAS, the public hearing was duly held on June 4, 2019 at which all persons interested in this matter were heard; and

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED that pursuant to Article 12-A of the Town Law, the Town Board of the Town of Constantia hereby determines as follows:

1. That the Public Hearing Order and Resolution was published and posted as required by law, and is otherwise sufficient
2. That all property and property owners within the proposed Sewer District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Sewer District;
4. That it is in the public interest to establish said Sewer District; and be it further

RESOLVED, ORDERED AND DETERMINED that the establishment of the proposed Improvements, as set forth in said Map, Plan and Report, be approved as set forth below; that the sewer system herein above referred to shall be constructed at a cost not to exceed a total of Thirty Nine Million Fifteen Thousand and 00/100 (\$39,015,000.00) Dollars, which cost will be financed as more particularly described in the financing plan on file with the Town of Constantia Town Clerk and further described in Schedule “B” attached hereto; and that said Improvements shall be designated and known as the “Town of Constantia Sewer District No. 1 (Constantia-Bernhard’s Bay Sewer District)” in the Town of Constantia situated wholly outside of any incorporated village or

city, and shall be bounded and described as set forth in Schedule “A” attached hereto and made a part hereof; and be it further

RESOLVED, ORDERED AND DETERMINED, the estimated cost of the Sewer District to the “typical property” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

RESOLVED, ORDERED AND DETERMINED, the estimated cost of the Sewer District to the “typical one-family home” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

RESOLVED, ORDERED AND DETERMINED, the estimated cost of the Sewer District to a “two-family home” is One Thousand Five Hundred Thirty-Two and 00/100 (\$1,532.00) Dollars; and

RESOLVED, ORDERED AND DETERMINED, there are no estimated hook-up costs because the project was designed as a “turn-key” project; and

RESOLVED, ORDERED AND DETERMINED, the cost and expenses of operation and maintenance of said Sewer District, shall be a function of charges to the benefitted property owners and shall not be a general charge against the Town; and

RESOLVED, ORDERED AND DETERMINED that within ten (10) days after the adoption of this Resolution and Order, the Town Clerk shall record with the Clerk of the County of Oswego and file with the Office of the State Comptroller copies of this Order, certified by the Town Clerk; and be it further

RESOLVED, ORDERED AND DETERMINED, that the Town Clerk, within 10 days from the date of this resolution, shall post and publish a notice which shall set forth the date of the adoption of this resolution and shall set forth concisely the purpose and effect thereof, and shall specify that this Resolution and Order is adopted subject to Permissive Referendum.

RESOLVED, ORDERED AND DETERMINED that this Resolution and Order is subject to a permissive referendum as provided in Section 209-e of the Town Law.

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	Councilor	Voted	Yes
John Metzger	Councilor	Voted	Yes
Tom Moran	Councilor	Voted	Yes
Frank Tomaino	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: June 4, 2019

ADJOURN:

At 7:35 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

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