

Minutes of the Constantia town board meeting held March 15, 2005 at 7:30 p.m. in the town hall.

Present; George Nowack - deputy supervisor
Paul Holst, Richard Colesante - council members
Janet Warford - town clerk
Others present; Warren Bader - town attorney
David Webb - highway superintendent
Steve Brill - ceo
Jim Bryant - county legislator
Karen Ashley - dco
Tom Moran - planning board chair
Absent; Lora Sterling - supervisor
John Metzger - council member

Mr. Holst made the motion to accept the minutes of the February meeting as presented to the board.
Seconded by Mr. Colesante.

Carried Nowack - yes Holst - yes Colesante - yes

Mr. Nowack made the motion to accept the Town Clerk's Monthly Report for February 2005. Seconded by Mr. Colesante.

Carried Nowack - yes Holst - yes Colesante - yes

Mr. Nowack made the motion to accept the Code Enforcement Officers Monthly Report for February 2005. Seconded by Mr. Holst.

Carried Nowack - yes Holst - yes Colesante - yes

Mr. Nowack made the motion to transfer funds from A1990.4 Contingent Account in the amount of \$5500 to:

A1110.4 Municipal Court C.E., \$2000
A1110.2 Justice Eq., \$1500
A1670.4 Central Mailing, \$2000

Seconded by Mr. Colesante.

Carried Nowack - yes Holst - yes Colesante - yes

Vouchers submitted;

General Fund claims no. 56 – 80 as set forth on Abstract no. 3, dated 3/15/05.

Highway fund claims no. 32 – 46 as set forth on Abstract no.3, dated 3/15/05.

Mr. Holst made the motion to pay the vouchers as submitted, seconded by Mr. Colesante.

Carried Nowack - yes Holst - yes Colesante - yes

The Planning Board has given a recommendation to the Town Board for denial of Mr. Solomon's application for a Telecommunications Tower. This information along with a five- page letter from Mr. Kelsey, Solomon's attorney was presented to Town Attorney Bader at the board meeting. Given the amount of information to digest on such short notice Mr. Bader recommended he present to the board and Mr. Kelsey a written report with regard to this matter one week prior to the April board meeting. Everyone was in agreement and this matter will be addressed in April.

Mr. Colesante presented the board with a draft form of an Ordinance Prohibiting the Discharge of Firearms or Hunting on Town Park Property in the Town of Constantia. The Park and Recreation Commission, Comprehensive Plan Board and Local Conservation Officer have reviewed this draft and are satisfied with its contents. The board was asked to review the proposed ordinance and take this matter up at the April meeting.

Mr. Colesante recommended the board address Article 5, Section 510 of the Land Development Law, which requires any person, before development of any NEW land use activity at any location within the town where this law requires approval of site plans, shall submit a site plan together with any supporting data for review and approval in accordance with the standards and procedures set forth in this law. And, also Article 5, Section 515 which addresses Land Uses Exempted from Site Plan Review. The town has not been doing this. Deficiencies in the town laws are being reviewed by the Comprehensive Plan Committee, but recommendation for changes will take two to three years and Mr. Colesante feels the town board should address this issue sooner.

Mr. Holst stated the board needed to look into a Local Law that would regulate transfer stations, medical waste dumps, etc. Mr. Baxter will get the board information and sample ordinances regarding this matter.

County Legislator Bryant reported the county now has a surplus of \$16,861,000. This can be attributed to sales tax revenue, social service over budgeting and overpayments, highway and machinery funds not being used, no overtime, the nursing home being sold, the transfer station closed one day a week and several small line items, so the county is in good shape.

Mr. Webb thanked the Constantia Volunteer Fire Department for the donation to the town of their old rescue truck. He stated he has been in contact with Niagara Mohawk several times in regard to five streetlights being out. It is taking months to repair these. Discussion followed. He will again contact Niagara Mohawk telling them if repairs are not made within thirty days the town will deduct payment for those lights, and that the town is concerned about the liability aspect of this and is putting Niagara Mohawk on notice. A recommendation was also made that the Public Service Commission be notified if this situation is not rectified.

Superintendent of Central Square Schools, Dr. Dougherty has asked Mr. Webb if the town would strip off an area by the Cleveland Elementary School like they did at A.A.Cole Elementary. Mr. Webb is waiting for a written proposal from the school district before proceeding with this.

Mr. Moran questioned notification to the town clerk with reference to Section 655, Paragraph 2 Telecommunications Towers under the Land Development Law. Discussion followed. Mr. Bader stated Mr. Moran's assumptions were right with regard to notifications. Under Section 655, Paragraph 2 the planning board is authorized to review and recommend to the town or disapprove site plans for telecommunications towers and facilities consistent to the law to the town board. The town board shall make final approval or disapproval of any site plan after the review and recommendations of the planning board. The five day time limitations in question do not pertain to this. They do however pertain to Article 5, Section 560 Site Plan Review of the Land Development Law.

He also stated the Planning Board has received a 239M from the county planning board with regard to the site plan application for boat storage on State Route 49 in Constantia and the planning board will address this issue at their next meeting.

Mr. Baxter is now the web master for the town web site and the North Shore Council of Governments is hosting it. It has recently been updated and Baxter suggested the town post-local laws and ordinances on the web site, along with frequently used application forms.

Mr.& Mrs.Boyden addressed the board about accidents occurring at the intersection of Lower Road and Doris Park Drive. They requested a No Right Turn for Trucks sign be placed on Lower Road in the winter. Discussion followed. Mr. Webb has contacted the county engineering department about this situation and has not heard back yet. The board tabled this matter.

Chuck Reynolds a member of the Playground Committee at A.A.Cole Elementary approached the board for a donation of funds, use of equipment or materials for the proposed new playground. Discussion followed. Mr. Nowack stated the municipality could not donate money to the school, but possibly we could help with use of equipment or materials. Mr. Bryant stated the school would have to work with the municipality by drawing up a contract for in kind services and meet with Superintendent Webb to discuss this request.

Mr. Holst made the motion to adjourn. Seconded by Mr. Colesante.
Carried Nowack - yes Holst - yes Colesante - yes