

Minutes of the Constantia town board meeting held September 20, 2005 at 7:30 p.m. in the town hall.

Present: Thomas Moran - supervisor
George Nowack, Paul Holst, Richard Colesante,
John Metzger - council members
Janet Warford - town clerk
Others present: Warren Bader - town attorney
Karen Ashley - dco
Steve Brill - ceo
David Webb - highway superintendent
Jim Bryant - county legislator

Mr. Colesante made the motion to accept the minutes of the August 2005 meeting as presented to the board.
Seconded by Mr. Metzger.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Mr. Nowack made the motion to accept the August 2005 Town Clerk's Monthly Report. Seconded by Mr. Holst.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Mr. Metzger made the motion to accept the Code Enforcement Officers August 2005 report. Seconded by Mr. Colesante.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Mr. Nowack made the motion to accept the Supervisor's Budget Report as submitted through September 19, 2005. Seconded by Mr. Metzger.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Mr. Moran made the following motion, seconded by Mr. Colesante transferring \$ 24,702.80 from A1620.1 Bldg. & Grounds P.S. to:

A1910.4 Special Item Unallocated - \$11,000.00
A5132.4 Garage C.E. - \$1255.00
A7110.4 Parks C.E. - \$1280.89
DB5130.4 Machinery C.E. - \$11,167.00

because on 4/27/05 the entire annual liability and property insurance bill for \$24,702.89 was inadvertently charged to account code A1620.1 Bldg. & Ground P.S., causing it to be over budget.

To transfer from A 1220.1 Supervisor P.S. \$2,500.00 to A 1310.1 Dir. of Finance P.S., because A1310.1 is on the verge of over-budget, possibly because of different bookkeepers throughout the year. And to create a new income account code A 3996 and new appropriation codes A3996.1 P.S., A3996.2 Eq. and A3996.4 C.E. for Local Government Records Management Improvement Fund grant money recently received by the town clerk.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Mr. Colesante made the motion that the 2006 budget workshop be held on Thursday, October 20, 2005 at 6:30 p.m. in the town hall. Seconded by Mr. Metzger.

Carried Moran - yes Holst - yes Metzger - yes
 Nowack - yes Colesante - yes

Vouchers submitted;

General Fund claims no. 222 – 269 as set forth on Abstract no.9, dated 9/20/05.

Highway Fund claims no. 116 – 124 as set forth on Abstract no.9, dated 9/20/05.

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

Carried Moran - yes Holst - yes Metzger - yes
 Nowack yes Colesante - yes

Mr. Moran made the following motion for appointments to the Planning Board and Board of Appeals:
Robert McNamara to the vacant position on the Planning Board which expires 12/31/09.
Charles Gilkey to the vacant position on the Planning Board which expires 12/31/08.
Michael Marr as first alternate and Patricia Schlueter as second alternate on the Planning Board.
Ken Macari to the vacant position on the Board of Appeals which expires 12/31/06.

Seconded by Mr. Colesante.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante - yes	

Mr. Moran read assessor Wheeler's Monthly Progress Report. The data collection has continued to progress nicely. As of September 20th, we are 44.27% complete. Again, this number reflects the actual number of parcels that have been recollected and entered into the system. Data collection is now complete through map 296.

Photographs are also completed through 297. All photos through map 281 have been entered and can be accessed through the RPSV4 system.

Erica Wheeler from the Citizens Outlet interviewed Mr. Wheeler and he attached a copy of the article to his report. Once data collection is finished, he will be contacting Erica for another interview to discuss the final phase of the data collection. He will send out data mailers, which are a computer printout of all pertinent information that his office has collected for each property in the Town of Constantia, When this is completed, the next course of action can be discussed. Mr. Colesante made the motion to accept the report. Seconded by Mr. Metzger.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante -yes	

The Comprehensive Plan Committee will be meeting October 11, 2005 at 6:30 p.m. to discuss the latest submittal of changes to the Land Development Law, which does not include changes the committee has agreed upon. These changes will have to be satisfied and completed.

The Sewer & Water Committee will be meeting at 7:00 p.m., September 22nd with OCWA for information about providing water to the town. The second half of the meeting will be with representatives of Fresh Earth Systems LLC.

Mr. Moran and Mr. Bader attended the Cleveland Village Board meeting on August 25, 2005 relative to a deteriorating water pipe serving ten Town residents outside the West End of the Village. These residents may petition the Town to form a Water District. It was noted the Village does not own the water pipe and can not spend funds outside the Village limits.

The Office of Court Administration staff is continuing to review open court cases dating back to 1970. Justice Buchan has determined that 150 open files resulted from the elimination of the Cleveland Village Court and has estimated \$2250 cost to disposition these files. Supervisor Moran wrote a letter and attended a Village Board meeting on 8/2/05 asking the Village to contribute to this cost, but received a negative response. Justice Buchan has proposed resolution of this by rolling it into the Justice Court Budget submittal for 2006.

Tara Pepper, 463 Salt Road presented the board with a petition signed by 30 Salt Road residents petitioning to get an official, enforced, state speed limit of 35 mph on their section of the road (#415 through #595). The petition states this approximate one mile stretch includes two blind hills, one intersection, 21 residential driveways on wooded lots and is a heavily traveled route. They are very concerned about the speeding cars passing by their homes. Everyday occurrences such as pulling in and out of driveways, getting the mail, receiving deliveries and taking walks are potentially hazardous situations for the residents. Since there is no current speed limit posted, the high-speed traffic is not being controlled and is therefore putting families in this community in danger.

This is the second request in four year to lower the speed limit on this portion of Salt Road. The first attempt failed. Discussion followed. Mr. Nowack made a Resolution the Town Clerk sent a Speed Limit Reduction request for a one- mile portion of Salt Road, between # 415 to #595 to the Oswego County Department of Public Works. Seconded by Mr. Metzger.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante -yes	

One bid was received for the purchase of a Spreader. Mr. Nowack made the motion to accept such bid for the purchase of a Heavy Duty 304 Stainless Steel Hopper Type Spreader from Tracey Road Equipment in the amount of \$9,598.00. Seconded by Mr. Metzger.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante - yes	

No bids were received for the sale of used culvert pipe or the Ford flail mower.

Mr. Nowack made the motion the town put up for sale one (1) 1975 International 6 Wheel Dump Truck. The clerk will post notice of such. Seconded by Mr. Metzger.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - yes	Colesante - yes	

DCO, Karen Ashley was asked how a Leash Law would impact her work. She responded, not too much, although more dogs would be euthanized as a result of such law. She reported having picked up 22 dogs in eight months. 4 were redeemed, 5 were adopted and 13 put to sleep at a cost for the town of \$80 to \$100 per dog. In last year's enumeration, 927 dogs were counted. Approximately 800 – 1000 dogs are licensed currently. Mrs. Ashley stated enacting a Leash Law would take some time to do. She stated the county imposes a law every year when dogs have to be confined from November through April. She spoke about state and local laws that pertain to dogs that she could enforce. She has had 3 dog bites this year in the Town of Constantia and 1 case of two dogs attacking another dog. She explained a case she recently brought before the town court and spoke of difficulties that have occurred in taking dog cases to town court. She suggested penalties in local dog laws be changed. The board will work on this and asked Mrs. Ashley to recommend changes to our dog law.

Paul Auringer reported the Board of Appeals held two hearing since the last board meeting and both appeals had been granted. Mr. Nowack questioned the appeals that were granted, because of close proximity of the set backs to the road.

Paul Baxter stated the Tug Hill Commission would be holding a meeting on Tuesday, September 27th at 4:00 p.m. at the Central Square Village Office.

Ed Sullivan, Doris Park Drive addressed the board with regard to garbage being burned in his neighborhood at night. He has contacted the towns code officer and we have no ordinance pertaining to this. He has also contacted the DEC to no avail. Mr. Sullivan asked that the town enact an Ordinance to cover burning trash and garbage. Mr. Colesante stated if he were to contact the DEC and file a statement declaring the burning of garbage was effecting the quality of his life, the DEC could and would respond. Mr. Bryant concurred with this. Discussion followed. Mr. Brill stated he receives many complaints with regard to burning garbage and suggested the town provide municipal garbage service. Mr. Baxter will check with West Monroe to obtain copies of any ordinances or laws they have regarding this issue.

Mark Kirkhoff, President of the Vanderbilt Snowmobile Club asked when the bridge over Scriba Creek was to repaired and opened for public use. Mr. Nowack stated this is not a town matter. The county would oversee the bridge, and the town has nothing to do with the recreational trail. Discussion followed. County Legislator Bryant asked that a letter written to him on September 20, 2005 from Donald Morey, Oswego County Superintendent of Public Works be read as follows:

For your information I have had no contact with anyone except yourself (Bryant) in regards to fixing the Snowmobile Bridge on Scriba Creek in Constantia.

Since this bridge is part of the Oswego County recreation trail, it is the responsibility of the Oswego County Highway Department to fix this bridge. As soon as we finish our current Highway bridge projects we will fix this bridge. Repair work on this bridge will probably be in October.

Once again I appreciate your concern. (Bryant's) As you have been my only contact on this project I will continue to keep you informed.

Mr. Bryant stated this time frame was the same one he had given the town board in May and June. Mr. Macari questioned if motorized vehicles could use the recreational trail and was told they were unauthorized to do so. Members of the snowmobile club stated the bridge was not wide enough for their snow removal equipment. Mr. Bryant asked they let him know how wide they think the bridge should be to facilitate their equipment and this information would be conveyed to the county.

Mr. Moran made the motion the board move to Executive session to discuss litigation. Seconded by Mr. Colesante. All board members voted yes. Carried

Mr. Moran opened the Executive session. All council members, the town attorney and town clerk were present. On-going litigation was discussed. Copies of a proposal for employee benefits were given to board members to study. The session was closed.

The monthly meeting was called back to order by Mr. Moran. There being no further business Mr. Moran made the motion to adjourn. Seconded by Mr. Metzger.

Carried	Moran - yes	Holst - yes	Metzger - yes
	Nowack - no	Colesante - yes	