

Minutes of the Special Meeting held November 29, 2005 at 6:30 p.m. in the town hall to discuss the amendment to the Land Development law and such other business as may come before the board.

Present: Thomas Moran - supervisor  
George Nowack, Paul Holst, John Metzger,  
Richard Colesante - council members  
Janet Warford - town clerk

Others present : Warren Bader - town attorney  
David Webb - highway superintendent

Supervisor Moran opened the meeting stating notice of such was posted. He reiterated the board has introduced an amendment to the Land Development Law and it is on file in the Town Clerk's office. The town has completed a full EAF and made a SEQR determination and the amendment was sent to the Oswego County Department of Planning and Community Development for 239-m review. The county has reviewed the proposed legislation and in a letter dated October 31, 2005 recommended approval with modifications, which have been made as follows:

1. Page 3 - Added definition of commercial
2. Page 4 - Home business - no change made
3. Page 4 - Added definition
4. Page 6 - Shopping center - no change
5. Page 8 - Section 510 and Article 18 on Page 36 defined
6. Page 8 - Line 16, Section 520 clearly defined
7. Page 9 - Section 630, Item 6 struck, Item 2 & 5 struck earlier
8. Page 9 - Section 640 add shall be 12' or wider and 700 square feet or greater in floor area
9. Page 17 - Section 953 & 955 change text to County Department of Planning and Community Development
10. Page 10 - Section 1045, struck item 4 & 5
11. Page 29 - Section 1510 renamed general
12. Page 35 - Section 1750, line 23 added Section B
13. Map - HC & LF definition change made to clarify.

All board members agreed to such changes relative to Oswego County Department of Planning and Community Development recommendations on 10/31/05, therefore, Mr. Nowack made the motion to amend the November 15, 2005 draft to reflect such changes as listed on 11/29/05. Seconded by Mr. Colesante.

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

Mr. Holst made the motion to hold a Public Hearing on Tuesday, December 20, 2005 at 6:30 p.m. in the town hall for the purpose of reviewing proposed amendments to the Land Development Law. Seconded by Mr. Metzger.

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

Bob McNamara will provide an article to the Oswego County Weeklies with an overview of the Land Development Law and proposed changes. Mr. Colesante and Mr. Holst will review such article before publication.

John Kane spoke to the board about what has transpired with regard to the proposed formation of a water district by twelve property owners adjacent to the west boundary of the Village of Cleveland. The water main in that area has one or more leaks and is in need of repair. The Village maintains the main is not owned by Village and is the responsibility of the water customers served.

Attorney Bader asked Mayor Gribbon, if he had as requested, any signed water contracts with him. The mayor responded, no, they were locked in the storage container. He has not seen them, but is quite certain they exist. Mr. Bader stated the petition submitted to form a water district was inadequate, because it did not contain specific costs for such. Mr. Kane said the people in the proposed district were very concerned about this issue, because the letter from the Village of Cleveland to property owners stated if a district is not formed by December 1, 2005, the Village of Cleveland has determined that their Village water service will be terminated effective January 1, 2006.

Discussion followed. Mr. Bader confirmed the immediate concern was to get the leak fixed. He has spoken with Walt Lyman from the state DOT and they would absolutely issue a permit for repairs to be done to the water line. The mayor maintains it is illegal for the Village to spend money to do repairs outside of the village. Discussion followed. Mr. Nowack made the motion the Town of Constantia Highway Department under the leadership of David Webb work with the Village of Cleveland, Mayor Gribbon and Doug Riggs to ascertain where the water leak is in the area of Martin Road and State Route 49 and then lend assistance in repair of the water line. Seconded by Mr. Moran. It was noted the twelve residents in the district would be responsible for all costs of repair.

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

Mr. Webb was asked to contact the DOT to get the permit rolling. Mr. Nowack said an inter-municipal agreement should be looked into for this matter and a joint meeting with the Town and Village boards was suggested. Mr. Moran said a good faith effort was being made and asked that the village not terminate water to the twelve properties and Mayor Gribbon agreed to this.

A letter of resignation has been received from William Buchan, serving as Town Justice and his clerk to become effective December 31, 2005.

Justice James was present and told the board of his concerns of being taxed to the limit. The justice position was more work than anticipated. He has done it and will continue to do so, but with the resignation of Mr. Buchan he can not take on the additional work of another justice's caseload. He spoke about the availability of justice training for non-attorneys, commenting that they would not be able to sit until training is completed. He asked the board to move forward to get the vacancy filled as soon as possible.

Mr. Bader was asked to contact the Oswego County Magistrates Association to see if a sitting justice would possibly fill the vacancy until a replacement could be appointed and trained. He will also speak to Mr. Buchan about staying on until a replacement is found.

Mr. Nowack made the motion the Town Clerk advertises the vacancy of Town Justice. Seconded by Mr. Holst.

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

Supervisor Moran stated it was prudent the board find someone to work temporarily as Code Enforcement Officer when Mr. Brill leaves. He stated he has received a letter from Howard Foster expressing interest in the job. Discussion followed. The clerk will run the help-wanted add for this position for a second week.

Mr. Colesante made the motion to authorize the Supervisor to hire an interim Code Enforcement Officers, who is qualified and certified from a surrounding municipality to work on an as-needed basis at \$16/hour, with no benefits and payment by the voucher system until a replacement is in place. Seconded by Mr. Holst.

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

Mr. Colesante made the motion to adjourn. Seconded by Mr. Metzger.

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