

TOWN OF CONSTANTIA
MINUTES – TOWN BOARD –November 17, 2009
7:30PM – AA Cole Elementary School, State Route 49

Present: Andrew Kelsey – Supervisor
Daniel Buck, Richard Colesante, John Metzger and Frank Tomaino – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney

Others Present: E. John Whitney – Deputy Highway Superintendent
Nancy Butler – Supervisor’s Clerk
Chuck Gilkey – Planning Board Chair
Paul Baxter – Tug Hill Commission

MINUTES:

Mr. Metzger made the motion to accept the minutes of the October 20, 2009 Town Board Meeting and the November 4, 2009 Budget Workshop, seconded by Mr. Colesante.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey - Yes

VOUCHERS:

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #11:

General Fund	313 - 341	\$ 93,385.02
Highway Fund	188 - 209	\$ 29,665.10
Northshore Water District	19 - 20	\$122,044.46

seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey - Yes

SUPERVISOR:

A motion was made by Mr. Metzger to accept the Supervisor’s Report as given, seconded by Mr. Buck.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey - Yes

TOWN CLERK:

Mr. Buck made the motion to accept the Town Clerk’s Report, seconded by Mr. Colesante.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey - Yes

ASSESSOR:

Mr. Colesante made the motion to accept the Assessor’s Report as read, seconded by Mr. Metzger.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

CODE ENFORCEMENT:

Complaints:

- Hall – Panther Lake, 1 violation had contact with Mr. Hall being resolved
- Birmingham – Panther Lake, had contact with Mr. Birmingham being resolved
- Nesbitt – Whipple Road, contacted the property seller, second letter sent
- 60 Gale Road, still one camper and trailer that needs to be removed, second letter sent
- Farrell – Shacksbush Road, burned out trailer, waiting on insurance
- Baxex – commercial business being ran from a residential property
- MEGS, new corporation stop work issued, needs site plan and many issues to be resolved

Noise Law:

At a previous meeting Mr. Metzger asked Mr. Illingworth to research which business would be affected if the operating permit was changed from 100 to 75 the following A2 businesses would fall under the new law, VFW, Boathouse, Wander Inn and Manhattan Moon. All of these establishments do serve alcohol and have entertainment. This change would give the Town the opportunity to regulate the amplified noise emitted for the outdoor entertainment at these establishments.

Mr. Tomaino made the motion to accept the Code Officer’s Report, seconded by Mr. Colesante.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

HIGHWAY:

The salt storage shed is complete and we expect a salt delivery from the county any day now, they supply us with 450 tons each season per contract. There was \$120,000 budgeted for the project (\$60,000 Town Funds - \$60,000 Grant Funds) to date \$126,127.12 have been spent, the overage was because of the miscalculation of the steel rebar for the footers.

Three trucks are ready for snowfall, the remaining will be ready by next week. All dirt roads have been graded and rolled. Weather permitting, they will be out doing tree work in the coming weeks. Judy Waldau has donated this year's Christmas tree, which will be cut and set up by the end of November.

Three bids were received for the F-450 dump bed, ss sander and V plow, opened as follows:

1. Lights Auto Parts Inc. - \$12,151.00
2. Transportation Repair Service Inc. - \$29,089.00
3. Henderson Truck Equipment – NY - \$29,205.00

Mr. Whitney reviewed bids and suggested the Town go with Henderson Truck Equipment, it is \$116.00 more but there are no exceptions. Mr. Colesante made the motion to have Henderson Truck Equipment supply the dump bed, ss sander and V plow for the new F-450 highway department truck, seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

DOG CONTROL:

Mr. Colesante made the motion to accept the Dog Control Officer's Report as read, seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

JUSTICE:

Mr. Buck made the motion to accept the Justice Report, seconded by Mr. Colesante.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

PLANNING BOARD:

Items before the planning board:

- Ballagh – moving forward, attorneys are meeting with State and Village Officials for approvals.
- Marr – approved with modifications

Mr. Colesante made the motion to accept the Planning Board Report, seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

RESOLUTION:

Mr. Kelsey read the follow resolution in regards to the Employee Benefit Accrued Leave Reserve Fund (EBLAR) account that Mr. Woolridge would like to set up for the highway employees. This account is for the unused vacation carry over funds that have been accruing, right now this is a liability for the Town, Mr. Woolridge feels he have enough leftover funds to catch the account up , but will have to wait until the end of the year to see exactly what will be put into the account. All monies do not have to be caught up this year, but the resolution must be done to get the account started. The accepted resolution reads as follows:

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

RESOLVED, that:

The Town of Constantia will establish an Employee Benefit Accrued Leave Reserve Fund account. It will be used for vested and accrued leave for each full time highway employee. This Resolution provides for the transferring of money to the new Employee Benefit Accrued Leave Reserve Fund account at Pathfinder Bank, Central Square, New York.

Seconded by Councilman: **Metzger**

Aye: **Buck, Metzger, Tomaino, Colesante, Kelsey**

AUDIT:

Two bids have been received for the audit of the Town of Constantia accounts.

1. Green & Seifter, Certified Pubic Accounts, PLLC – 2,500 to \$3,000 for 2008
2. Toski, Schaefer & Co., P.C. - \$12,000 to \$14,000 for 2008

A third company was contacted, no information was received. Ms. Butler after speaking to both firms, would like to go with Green & Seifter, not only because of cost, but they have been in contact and Ms. Butler since their original meeting. Mr. Colesante made the motion to have Supervisor Kelsey sign the

Letter of Engagement with Green & Seifter, Certified Public Accounts, PLLC to start the 2008 and 2009 audit, seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

CORRESPONDENCE:

1. Office of the County Attorney – Oswego County Emergency Radio System Upgrade
2. Costello, Cooney & Fearon, PLLC – Easement Meeting
3. Nancy Spoerke – Silver Star Banner Day Proclamation or Resolution, will act upon at Decemeber Town Board Meeting
4. NYS Youth Advocate Programs – Time Dollar Banking

WATER:

Mr. Pond from Barton and Loguidice reported that 50 percent of easements have been returned, hopefully tonight's meeting will produce more. The tank and pump site owners met with Mr. Bader and he will draft a purchase offer, if agreeable offer will be presented to the board for approval. The Bernhards Bay pre-eligibility from the USDA will be back by the first week in December.

2010 BUDGET:

The current budget that is to be voted on is a 2.58 percent tax increase. A discussion was started in reference to the new EBLAR account that the Town is setting up and how that transfer needs to happen. Mr. Baxter confirmed that this is not spending, so it is not listed on a particular line in the budget it is strictly a transfer. He will help Ms. Butler update the software that the Town uses so the EBLAR account will be within the Supervisor's Report. Mr. Colesante made the motion to adopt the 2010 Budget dated November 10, 2009, seconded by Mr. Tomaino.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey – Yes

TUG HILL COMMISSION:

Mr. Baxter is welcoming suggestions for any training needs for 2010. Scheduling is ongoing for the 2010 Local Government Conference which will be held April 1, 2010. Mr. Kelsey requested that he help order the new computer for the Supervisor's Office, Mr. Baxter will meet with Ms. Butler in the near future.

ADJOURN:

At 8:30 Mr. Colesante made the motion to adjourn, seconded by Mr. Metzger.

Carried: Buck – Yes Metzger – Yes Tomaino – Yes Colesante – Yes Kelsey - Yes