

TOWN OF CONSTANTIA
MINUTES– PUBLIC HEARING - TOWN BOARD – March 16, 2010
7:00PM – Constantia Town Hall

Present: Charles Gilkey – Supervisor
Richard Colesante, John Metzger, Thomas Moran and Frank Tomaino –
Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney
Others Present: Wayne Woolridge – Highway Superintendent

CALL TO ORDER:

At 7:02pm Mr. Gilkey called the meeting to order with the Pledge of Allegiance.

PURPOSE:

The purpose of this public hearing is to hear comments on the proposed Local Law A-2010 to amend Local Law Number 3-2006.

PUBLIC COMMENT:

Mr. Solomon owner of the Wander Inn questioned what the actual change would be. Mr. Bader explained that under Local Law 3-2006 which is the law that provides for the Administration and Enforcement of the New York State Uniform Fire Prevention and Building Code in the Town of Constantia, paragraph 1(d) of Section 10 now has a public assembly with an occupant load of 100 or more persons are required to have an operating permit from the Town of Constantia. The Town Board was advised by the Code Enforcement Officer that this occupant level be lowered to 75 persons. This is a direct result of the noise issue that local residents have been having with establishments in the area. The Code Enforcement Officer will issue the operating permit, there will be a yearly fee. Mr. Colesante explained that on the operating permit there will be certain conditions and if there are complaints or problems, that is when the Code Enforcement Officer can take measures to correct the problems. There will be a work session to discuss the possible conditions.

Mr. Kastler – wanted to let the board know of his displeasure at the change, it is hard enough for businesses in New York State, and to limit them more and then add a fee, he feels this will hurt the owners. Mr. Moran explained that there have been many complaints from people living in the town, the board felt this was a good way to handle many of the problems.

Mrs. Richards – will this include people who want to have parties at their homes. This only pertains to businesses that have occupancy of 75 or more people.

ADMENDMENT:

Mr. Gilkey made the motion:

Be it enacted by the Town Board of the Town of Constantia, in the County of Oswego, New York, as follows:

SECTION 1. AMENDEMENT.

Local Law 3-2006 is hereby amended by deleting paragraph 1(d) of Section 10 (Operating Permits) and replacing it with the following:

“d. buildings containing one or more areas of public assembly with an occupant load of 75 persons or more: and”

SECTION 2. EFFECTIVE DATE.

This local law shall take effect immediately upon filing in the office of the New York State Secretary of State in accordance with section 27 of the Municipal Home Rule Law.

Seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

CLOSE PUBLIC HEARING:

At 7:20 Mr. Gilkey made the motion to close the public hearing, seconded by Mr. Moran.

Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes