

TOWN OF CONSTANTIA
MINUTES– TOWN BOARD – April 20, 2010
7:30PM – Constantia Town Hall

Present: Charles Gilkey – Supervisor
John Metzger, Thomas Moran and Frank Tomaino – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney

Others Present: Wayne Woolridge – Highway Superintendent
Ronald Sakonyi – County Legislator
Karen Ashley – Dog Control Officer
Robert McNamara – Planning Board Chair
Paul Baxter – Tug Hill Commission
Ken Macari – Board of Appeals Chair

Absent: Richard Colesante – Council Member

CALL TO ORDER:

At 7:30 Mr. Gilkey called the regular meeting of the Constantia Town Board to order.

PUBLIC COMMENT:

Mr. Hartman asked if there was anything the town could do about McIntosh Pallet and the noise the business creates. The machine that shreads the pallets which causes the noise sometimes runs 12 to 14 hours a day. Mr. Gilkey asked Mr. Hartman to please keep a log of the days and times that this occurs and then will he be willing to contact the business with the information to see if there is anything that can be done.

Mrs. Warford would like to address the draft of the proposed operating permit. Reading the draft as it stands it is about the same as last year, with bands being able to play every day of the weekend. It is really only giving the property owners 3 weekends of the summer to enjoy their yards. She is requesting a time that the homeowners could speak to the board to negotiate some of the times listed.

Mrs. Pierce agrees and would like to be able to be at the meeting, her concerns would include the starting times, they are not listed.

After additional discussion Mr. Tomaino made the motion to have a public hearing on May 4th at 7:00pm to discuss the Operating Permit Conditions, seconded by Mr. Moran.

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

Mrs. Pierce would also like to thank the Highway Department on what a nice job they do to clean up the roads after the winter.

HIGHWAY BID OPENING:

2008 F-350 Pickup:

- | | |
|---------------------|-------------|
| 1. Sulli Motors | \$10,276.00 |
| 2. Ken Massara | \$12,001.00 |
| 3. J & M Excavation | \$19,600.00 |

Hauling of Stone:

- | | |
|---------------------------|--------------|
| 1. H. R. Babcock Trucking | \$5.65 a Ton |
| 2. Truckway, Inc. | \$5.75 a Ton |
| 3. Florence Sand & Gravel | \$4.05 a Ton |

4 Wheel Drive Loader:

- | | | |
|-------------------------------|--------------|-----------------------|
| 1. Milton Cat | \$131,042.00 | Trade In: \$27,500.00 |
| 2. Anderson Equipment Company | \$132,244.00 | Trade In: \$32,500.00 |
| 3. Tracey Road Equipment | \$119,429.00 | Trade In: \$32,000.00 |
| 4. Five Star Equipment, Inc. | \$122,795.00 | Trade In: \$36,000.00 |

Mr. Woolridge will review all bids, they will be awarded at the end of the meeting.

COUNTY LEGISLATURE:

Mr. Sakonyi told the board that after May 6th household waste can now be dropped off at the Bristol Hill Landfill at no cost to Oswego County residents. The rabies clinic schedule is now available, please contact the Town Clerk's Office for locations and times. The VFW in Constantia will be holding the

Memorial Day Celebration this year. Please remember there is a no burn law in effect until May 15th, it carries a \$375.00 fine.

DOG CONTROL:

Mrs. Ashley feels that the town should look into adopting a leash law, both West Monroe and Village of Cleveland has the same law. It will help with complaints from people who do not want to sign a complaint against their neighbor. Mrs. Haynes will get a copy of the leash law to the board members for review. Mr. Metzger made the motion to accept the Dog Control Officer's Report, seconded by Mr. Moran.

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

WATER:

Mr. Pond reminded the board that bid opening will be on Thursday starting at 9am, there seems to be a lot of interest, so we should have a lot of bids to open. Waterline easements have been coming in, we are at about 75%. The town has closed on the tank site, will be closing on the pump site by next month. NYS Ag & Markets and Oswego County AFPB approved the Town's Final Notice of Intent. Rural Development is offering the Proposed Bernhards Bay Water District a \$3.180M low interest loan (2.5%) and a \$1.015M grant. Typical user costs are expected to be approximately \$630 per year, this includes water. Mr. Pond gave the board an engineering service proposal for the district formation, if the board could review for discussion and hopefully approval at the May meeting that would still give enough time for completion. There is a time line that must be followed for this loan.

MINUTES:

Mr. Moran made the motion to accept the minutes of the March 16, 2010 Public Hearing, March 16, 2010 Town Board Meeting, March 25, 2010 work session, and the April 8, 2010 work session, seconded by Mr. Gilkey.

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

VOUCHERS:

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #4 Dated April 20, 2010:

General Fund	99-131	\$ 19,529.50
Highway Fund	54-75	\$ 18,078.09
Northshore Water District	7-11	\$ 107,585.71

seconded by Mr. Gilkey.

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

SUPERVISOR:

A motion was made by Mr. Moran to accept the Supervisor's Report as given, seconded by Mr. Gilkey.

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

TOWN CLERK:

Mrs. Haynes told the board that tax collection is now complete, we collected 81% of the total Warrent. Final check given to Supervisor Gilkey was \$11,299.69, this includes penalties, interest and fees. As a reminder, Mrs. Haynes will be attending the Town Clerk's Conference next week, the office hours in her absence will be 8:30 to 11:45 Monday and Wednesday, normal hours on Tuesday and Thursday. Mr. Metzger made the motion to accept the Town Clerk's Report as read, seconded by Mr. Tomaino.

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

JUSTICE COURT:

Mr. Moran made the motion to accept the Justice Report's, seconded by Mr. Gilkey.

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

PLANNING BOARD:

Mr. McNamara would like to invite the entire board to the next Planning Board meeting to show them the changes that have been made to the Sub-Division Law. The meeting is scheduled for April 27, 2010 at 7:00 pm in the Constantia Town Hall. Mr. Moran made the motion to accept the Planning Board's Report, seconded by Mr. Metzger.

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

BOARD OF APPEALS:

Nothing to report.

ASSESSOR:

The 2010 tentative assessment roll continues to be finalized by entering all granted exemptions as well as any change in assessments. There were over 90 building permits that have been visited to collect information that helps with the assessment process. Second notices will be mailed out during the first week in May. Once these notices are out, we will begin the process for preparing for Grievance Day, May 26, 2010 for the Town of Constantia. Mr. Tomaino made the motion to accept the Assessor's Report as read, seconded by Mr. Moran.

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

CODE ENFORCEMENT:

Mr. Illingworth has reported to the board that he is following up on the 6 active complaints. Mr. Moran made the motion to accept the Code Officer's Report, seconded by Mr. Tomaino.

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

HIGHWAY:

Mr. Woolridge reported that they are changing the plow trucks over and doing general maintenance to get ready for summer work. The gravel pit permit has been received the pit permit will now include the north side of the road also, we will have this permit for 5 years. The annual Community Clean up Days will be May 3rd and 4th. Unfortunately this year we will not be able to take tv's, monitors or computers. A complete listing is at the town hall and the post offices in the area, it will also be in the newspapers. Mr. Metzger made the motion to accept the Highway Superintendent's Report, seconded by Mr. Tomaino.

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

AUDIT:

Mr. Beers our auditor has not given us our final conclusions, he would like to give the board a verbal report. The written report will follow.

Mr. Moran has completed the Town Clerk and Tax Collector's audit for 2008 and 2009. All board members have been given a copy to review and accept at the May Town Board Meeting. The Justice audit has been started for 2008, Mr. Moran is reviewing some information and will hopefully complete the 2009 audit sometime in May.

CORRESPONDENCE:

- Constantia VFD – Letter sent to ABC Board
- Barton & Loguidice – Engineering Cost Status Report
- Cleveland VFD - Chief's Report
- Local Law 1-2010 has been filed with the Department of State
- Town of Amboy – Zoning Changes

PUBLIC COMMENT:

Ms. Ko reminded the board about the Leadership Oswego County Game Night that is Wednesday, May 5, 2010. They would love to have a team from Constantia, flyers at in the Town Hall.

Mrs. LaVigne was wondering if there was any new information on the sidewalks. With the nicer weather, more people are walking and they are in such disrepair. Mr. Gilkey has not forgotten, but with water coming thru, hopefully some of the problems will be fixed during the piping process. It is a difficult task, must start from the beginning because there is no information about the district.

TUG HILL COMMISSION:

Paul Baxter told the board about the upcoming Land Use Planning Workshop on Tuesday, April 27, 2010. Also, the North Shore Council of Government will have a meeting on Thursday, May 6, 2010 in Camden. This meeting will be to get input from the local governments on what they would like to see happen for their communities.

BOARD COMMENT:

Procurement Policy – this is something that should be done annually, the changes that have been made are to include the use of internet to get quotes. Mr. Metzger made the motion to accept the changes and to adopt the 2010 Procurement Policy, seconded by Mr. Moran.

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

Changes to the Code Enforcement Department, Mr. Metzger wanted to make sure that the issue of benefits has been looked into, that is not an area that we want to add any additional cost to the town. The following resolution was read and adopted.

**TOWN OF CONSTANTIA
TOWN BOARD RESOLUTION**

April 20, 2010

Councilman Moran introduced proposed Local Law No. B-2010, which Local Law creates a separate department of town government to be known as the “Department of Planning, Development and Code Enforcement,” in the Town of Constantia, and made the following motion, which was seconded by **Supervisor Gilkey**:

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law in the Town of Constantia, such that there are no other involved agencies within the meaning of the New York State Environmental Quality Review Act (SEQR) with respect to the proposed enactment of said Local Law, with the result that the Town Board shall act as lead agency in this matter.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. B-2010 is a Type II action and will have no significant effect on the environment; and it is further

RESOLVED, that the Town Board conduct a public hearing as to the enactment of proposed Local Law No. B-2010 at the Town Hall located at 14 Frederick Street in the Town of Constantia on May 4, 2010 at 7:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard.

The question of the adoption of the foregoing resolution was duly put to a vote and upon roll call, the vote was as follows:

Richard Colesante	Councilman	Absent	
John Metzger	Councilman	Voted	Yes
Tom Moran	Councilman	Voted	Yes
Frank Tomaino	Councilman	Voted	Yes
Charles Gilkey	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: April 20, 2010

AWARD BIDS:

Mr. Metzger made the motion to award the hauling of stone from Callanan Industries, Clockville to Constantia to Florence Sand & Gravel at \$4.05 a Ton, seconded by Mr. Gilkey.

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

Mr. Metzger made the motion to reject all bids for the 2008 F-350 Pickup, seconded by Mr. Tomaino.

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

Mr. Tomaino made the motion to purchase the 4 Wheel Drive Loader from Five Star Equipment, Inc. for \$122,795.00 with a trade in value of \$36,000.00, seconded by Mr. Metzger.

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

EXECUTIVE SESSION:

At 10:02 Mr. Moran made the motion to go into executive session to discuss possible litigation, seconded by Mr. Gilkey.

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

At 10:20pm Mr. Metzger made the motion to re-open the regular meeting of the Constantia Town Board, seconded by Mr. Tomaino.

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

ADJOURN:

At 10:21pm Mr. Tomaino made the motion to adjourn, seconded by Mr. Metzger.

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