

TOWN OF CONSTANTIA  
**MINUTES– PUBLIC HEARING LOCAL LAW 3-2010– December 7, 2010**  
7:00PM – Constantia Town Hall

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

Absent: John Metzger – Council Member

**CALL TO ORDER:**

At 7:03pm Mr. Gilkey called the public hearing to order with the pledge of allegiance. This public hearing is to hear any questions relating to Local Law 3-2010 Dog Licensing and Identification in the Town of Constantia.

**PUBLIC COMMENT:**

Mr. Macari is concerned about the fees, with things the way they are it would be nice to be able to decrease fees. Unfortunately the State has sent this to the Town and we have to pay for it somehow and the increase is only \$1.00 each. The proposed increase is in line with most towns in Oswego County. The State still mandates that all dogs that reside in New York be licensed, this is to insure that dogs are up to date on their rabies shots. Mr. Macari thinks that from an economic standpoint maybe we should be cutting back on some of these things, it is not possible the State is mandating that we must do this. Mr. Colesante stated that this is a safety issue to protect the health of our citizens, we have had at least 3 dog bites this year alone.

**CLOSE:**

At 7:30pm Mr. Colesante made the motion to close the public hearing public comment section, seconded by Mr. Moran.

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

**RESOLUTION:**

**TOWN BOARD RESOLUTION  
TOWN OF CONSTANTIA  
DECEMBER 7, 2010  
Local Law 3-2010**

**Mr. Colesante** introduced proposed Local Law No. 3-2010, repealing Local Law No. 5 of 2007, titled “A Local Law Setting Dog License Fees in the Town of Constantia,” and adopting a new local law to be titled “Dog Licensing and Identification in the Town of Constantia,” seconded by **Mr. Moran**:

**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.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that there are no other involved agencies, the Town Board shall act as lead agency, and that the enactment of proposed Local Law 3-2010 is a Type II action and will have no significant effect on the environment in accordance with 6 NYCRR Part 617, thus concluding the environmental review process; and it is further

**RESOLVED**, that the Town Board conduct a public hearing as to the enactment of proposed Local law No. 3-2010 at the Town Hall, 14 Frederick Street, Constantia, New York on December 7, 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:

<b>Richard Colesante</b>	<b>Councilman</b>	<b>VOTED</b>	<b>YES</b>
<b>Thomas Moran</b>	<b>Councilman</b>	<b>VOTED</b>	<b>YES</b>
<b>John Metzger</b>	<b>Councilman</b>	<b>ABSENT</b>	
<b>Frank Tomaino</b>	<b>Councilman</b>	<b>VOTED</b>	<b>YES</b>
<b>Charles Gilkey</b>	<b>Supervisor</b>	<b>VOTED</b>	<b>YES</b>

The foregoing Resolution was thereupon declared duly adopted.

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

RESOLVED, that:

**The following fees shall be applied in the Town of Constantia:**

1. **License – Neutered or Spayed Dogs** **\$ 7.00**
2. **License – Unneutered or Unspayed Dogs** **\$15.00**
3. **License – Pure Bred Dogs (grandfathered licenses only)**
  - a. **1-10 dogs** **\$ 40.00 + \$1.00 per altered and \$3.00 for unaltered**
  - b. **11-25 dogs** **\$ 70.00 + \$1.00 per altered and \$3.00 for unaltered**
  - c. **26+ dogs** **\$120.00 + \$1.00 per altered and \$3.00 for unaltered**
4. **Replacement Tag** **\$ 3.00**
5. **Animal Claim Fee** **\$20.00 first, \$30.00 second, \$40.00 third offense + \$5.00 per day.**
6. **Adoption/Redemption Fee** **\$20.00 + applicable license fee**

**Effective date: January 1, 2011**

Seconded by Councilman: **Moran**

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

Full copy of Local Law 3-2010 can be reviewed at the Town Clerk’s Office.

**EMINENT DOMAIN – DILLARD:**

Mr. Colesante made the motion to close the comment period for the Eminent Domain Proceedings for the Dillard property tax map 310.05-03-25.00 at 7 Twenty-Eight Street, Constantia, seconded by Mr. Moran.

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

Mr. Moran made the motion to accept the Determination and Findings and publish the synopsis of the Determination and Findings in the official newspaper for the North Shore Water District, seconded by Mr. Tomaino.

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

Full copies of all documents are on file at the Town Clerk’s Office.

**EMINENT DOMAIN – KADLUBOWSKI:**

Mr. Colesante made the motion to have a public hearing for the Eminent Domain Proceedings on the Kadlubowski property at 200 Doris Park Drive, Constantia. The hearing will be January 4, 2011 at 7:00pm in the Constantia Town Hall, seconded by Mr. Tomaino.

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

**BOARD COMMENT:**

Following the public hearing on January 4, 2011 the Town Board will hold their Organizational Meeting.

**ADJOURN:**

At 7:40pm Mr. Colesante made the motion to adjourn, seconded by Mr. Tomaino.

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