

TOWN OF CONSTANTIA  
**MINUTES - PUBLIC HEARING – TOWN BOARD –January 18, 2011**  
Constantia Town Hall

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

Others Present: Warren Bader – Town Attorney  
Wayne Woolridge – Highway Superintendent  
Karen Ashley – Dog Control Officer  
Paul Baxter – Tug Hill Commission  
Ken Macari – Board of Appeals  
Robert McNamara – Planning Board Chair

**CALL TO ORDER:**

At 7:03pm Mr. Gilkey called the public hearing of the Constantia Town Board to order with the pledge of allegiance. The purpose of the public hearing is to discuss possible changes to the Subdivision Regulation as proposed by the Planning Board.

**PUBLIC COMMENT:**

No written comments from the public were received.

Mr. Macari did work on the changes to the subdivision regulation and did vote to submit these changes to the Town Board. Overall he is happy with most of them. His major concern is with the definition of subdivision itself, he thinks this could be changed to be not so restrictive to the property owners. Mr. Schwalbe who also sits on the planning board, disagreed. By restricting subdivisions to be reviewed even for one lot, will hopefully help the Town catch potential problems, undersized lots, commercial businesses, items that the planning board deal with after the fact. Mr. Bader stated that most communities that have a growing population have this type of definition for their subdivisions.

Mr. Illingworth, Director of Planning Development and Code Enforcement did memo the board with his concerns. Article 1 Section 135 for a procedural waiver, this issue is the same as Section 940 of the existing and section 640 of the proposed LDL. If there is a concern over the wording, that can be reworked. 940/640 can be changed to incorporate the requirements as stated in the proposed 135. The purpose of 940/640 is to provide for an expedited process for a two lot subdivision where the Code Officer makes the decision if it meets the requirements, if it does not it would be referred to the planning board. Section 135 should reference Section 940/640 of the LDL to accomplish this. Fees also need to be addressed.

Lengthily discussion followed, the board will take Mr. Macari's and Mr. Illingworth's comments into consideration.

**CLOSE:**

At 7:37pm Mr. Colesante made the motion to close the public hearing, seconded by Mr. Moran.  
Carried: Moran – Yes Tomaino – Yes Colesante – Yes Metzger – Yes Gilkey – Yes

**OPEN REGULAR MEETING:**

At 7:38pm the regular meeting of the Constantia Town Board was called to order.

**PUBLIC COMMENT:**

No comment at this time.

**WATER:**

Constantia & Toad Harbor Water Districts Construction

-Contract No. 2 (Water Mains - County, Town & Private Roads) has installed approximately 102,800 linear feet of ductile iron water main and appurtenances (95%). Approximately 3,400 linear feet in Doris Park and 1,400 linear feet along Smith Point Road remaining. Approximately 140 services have been installed along private roads (Woodland Drive, Smith Point Road and Doris Park remaining for private roads).

Water Service Connections

-The Contract No. 1 water mains (NYS Route 49) have been approved for connection. To date, 11 people have connected.  
-As indicated above, Contract No. 2 has installed approximately 140 services along private roads.

Proposed Bernhards Bay Water District

-B&L is preparing NYS SEQR long form EAF and MP&R for the formation of the proposed water district, see below for anticipated time line:

- B&L submits drafts to Town – January 18, 2011
- Town review/submit written comments to B&L – February 4, 2011
- Discussion on review comments – February 15<sup>th</sup> Board Meeting
- B&L finalizes SEQR & MP&R – Prior to March Board Meeting
- Town accepts SEQR & MP&R – March 15<sup>th</sup> Board Meeting

Mr. Parker gave the Board the Map and Plan Report for the proposed Bernhards Bay Water District for review and if there are any questions please get back to him by February 4th so he can have the answers for the February 15<sup>th</sup> Town Board meeting. If all is okay B&L will be looking for acceptance at the March 15<sup>th</sup> Town Board meeting.

**COUNTY LEGISLATOR:**

Mr. Sakonyi was not at the meeting but sent the following written report:

- Has been assigned to the Strategic Planning Committee and Health and Human Services Committee for this year
- Resolution passed authorizing the Chairman to enter into an agreement in relation to the snowmobile trail development and maintenance program and authorizing acceptance of grant monies for the 2010-2011 snowmobile program. This resolution will authorize the Chairman along with the County Treasurer to take the steps necessary to acquire and disburse funds in the amount of \$214,965 that have been allocated by NYS for the ten snowmobile clubs under the 2010-2011 NYS Snowmobile Trail Grant Program.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the December 21<sup>st</sup> Town Board meeting and the January 4<sup>th</sup> public hearing/organizational meeting, seconded by Mr. Tomaino.

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

**VOUCHERS:**

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #1, Dated January 18, 2011:

General Fund	1-33 and 35-42	\$ 17,933.20
Highway Fund	1-19	\$ 135,103.04
Northshore Water District	1-9	\$ 704,428.62

seconded by Mr. Metzger.

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

**SUPERVISOR/BUDGET TRANSFERS:**

Mr. Colesante made the motion to accept the Supervisor’s Report and the following budget transfers for 2010:

Transfer to:	Transfer From:	Amount:
A7110.4 Park CE	A1620.4 Bldg and Grounds CE	\$ 384.38
A7110.1 Park PS	A1620.4 Bldg and Grounds CE	\$1,603.13
A5010.4 Hwy Super CE	A1990.4 Contingency	\$ 65.97
A3510.4 Dog Control CE	A1990.4 Contingency	\$ 158.86
A5132.4 Hwy Garage CE	A1310.43 External Audit	\$5,000.00
	A3620.12 Code Enforce PS	\$3,800.00
	A1990.4 Contingency	\$6,439.00
A9030.82 Medicare	A9030.81 FICA	\$ 119.78
A3620.4 Code Enforce CE	A3620.2 Code Enforce Equip	\$1,525.45
DB5742.4 Snow Removal	DB5142.1 Snow Removal PS	\$ 4.47
DB5130.42 Machinery Ins	DB5130.2 Machinery Equip	\$ 184.93
DB5130.41 Machinery CE	DB5130.2 Machinery Equip	\$ 451.22

Seconded by Mr. Moran.

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

**HIGHWAY:**

The highway department has been busy plowing snow, doing regular maintenance on trucks. They have also removed the Christmas decorations.

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

**TOWN CLERK:**

Mrs. Haynes gave her report, for the month of December we had 86 new dog licenses. A motion was made by Mr. Tomaino to approve the Town Clerk’s Report, seconded by Mr. Moran.

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

**ASSESSOR:**

As of the writing of this memo, all exemptions that need to be renewed have been mailed out, including, Enhanced STAR, Senior Exemptions, Agricultural, Disability and Income Verification Program. All of these need to be returned to our office by March 1, 2011. Within the next few weeks, I will begin the valuation phase of any new construction that has been completed since last taxable status date. I should have some tentative values by March or April of this year. There still has been no new information as it pertains to the amount of our State Aid. When that information becomes available, I will pass it on to you.

Mr. Gilkey told the Board that Mr. Wheeler has changed his hours to 9am to 4pm on Tuesdays. He will be trying this for a month or two to see how this works. Mr. Moran made the motion to accept the Assessor's Report, seconded by Mr. Colesante.

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

**CODE ENFORCEMENT:**

No new permits issued. Mr. Moran made the motion to accept the Code Officer's Report, seconded by Mr. Metzger.

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

**DOG CONTROL:**

Mrs. Ashley reported that the mandatory fine for an unlicensed dog is now \$25.00. She will be issuing more tickets, licenses are slowly coming in. Hopefully when she finishes the enumeration there will be about 1,000 licensed dogs in the Town. Mr. Moran made the motion to accept the Dog Control Officer's report, seconded by Mr. Tomaino.

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

**PLANNING BOARD:**

Mr. McNamara reported that there is a working draft for the LDL all board members should have a copy. January 25<sup>th</sup>, 7pm is the regular meeting for the planning board and all members of the Town Board are encouraged to attend so they can ask any questions they might have and suggest any changes. Mr. Moran made the motion to accept the Planning Boards report, seconded by Mr. Metzger.

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

**BOARD OF APPEALS:**

No new business.

**JUSTICE COURT:**

Mr. Metzger made the motion to accept the Justice Report's, seconded by Mr. Colesante.

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

**PUBLIC COMMENT:**

Mrs. Kline from Cleveland asked Mrs. Ashley if the german shepherd dog that is running around her house is licensed. No it is not and it is a wild dog, she has tried to catch it many times and you cannot get within 20 feet of the dog. She cannot live trap the dog or tranquilize it, she is not certified to do so. There is not much she can do, she has notified DEC Officer Panipinto.

**TUG HILL COMMISSION:**

Mr. Baxter told the board:

- All should have received flyers for the Tug Hill Conference, register early
- Setting up NORCOG meeting, date to follow
- Updated Town web site

**BOARD COMMENT:**

Mr. Moran made the motion to have Kay Foster be the secretary for the Planning Board and Board of Appeals, seconded by Mr. Colesante.

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

A work session for the Town Board will be February 8, 7pm in the Constantia Town Hall, to discuss contractual spending among other items.

Mr. Metzger made the motion to authorize Supervisor Charles Gilkey to sign both contracts with Smart Watt to replace lighting at the Constantia Town Hall and the Constantia Highway Department. The Town will subscribe to the monthly payment plan, seconded by Mr. Moran.

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

COUNCILMAN: **COLESANTE**

Introduced the following and moved its adoption:

RESOLVED, that:

**Krista Lewis as Director of Constantia Parks and Recreation, or such person's successor, is hereby authorized and directed to file an application for an Urban and Community Quick Start Grant in an amount not to exceed \$ 1000.00, and upon approval of said request to enter into an execute a project agreement with the New York State Department of Environmental Conservation for such financial assistance to The Town of Constantia's Webb Park Beautification Project.**

Seconded by Councilman: **METZGER**

Aye: **MORAN, TOMAINO, COLESANTE, METZGER, GILKEY**

**ADJOURN:**

At 8:54pm Mr. Metzger made the motion to adjourn, seconded by Mr. Colesante.

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