

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD-August 18, 2015
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor
Richard Colesante, John Metzger, Thomas Moran, Chad Whitney – Council Members
Clare Haynes – Town Clerk

Others Present: Wayne Woolridge - Highway Superintendent
Warren Bader - Town Attorney
Paul Baxter - Tug Hill Commission
Wayne Hall – Code Enforcement Officer

CALL TO ORDER:

At 7:30 pm Mr. Mosley called the town board meeting to order with the pledge of allegiance.

PUBLIC COMMENT:

Many residents were in attendance to discuss a situation that has come up recently on Doris Park Road. The major concerns for the residents are:

- More than one camper being occupied on a piece of land
- Multiple boats
- Septic issues
- Blocked view
- People urinating in public
- Garbage being thrown in others people yards
- 4-wheelers and dirt bikes being raced up and down the road
- Dogs running loose
- Loss of home value because of this
- Noise out of control

The board listened to the complaints from the residents, Mr. Mosley and Mr. Hall, Code Enforcement Officer have been aware of the issues and have started addressing some of the concerns last week. Mr. Mosley will contact the property owner on Wednesday, if no action is taken after that point then Mr. Hall will start issuing violations. Some of the issues cannot be handled by the town, (ie: public urination) residents that have complaints will need to contact the police. First order of business will be to discuss removal of two of the campers as well as sewage disposal.

Discussion furthered by complaining about dogs running around. The Town does not have a leash law, some residents inquired on how to get one enacted. The residents would start with a signature petition to bring in front of the board to show the residents are in favor of a leash law. Mr. Bader reminded the residents that a leash law would be for the entire town about 4,800 people live in the town.

The Panther Lake Association was next to get an update on their situation with a resident. After last month's meeting Mr. Mosley and Mr. Hall, CEO went to see the problems for themselves. Mr. Hall, CEO has sent the resident a violation notice, after 30 days if no response from resident then he will be served a citation and will need to appear in court. The members in attendance are happy things are moving forward.

WATER:

At the special meeting held on Tuesday, August 11th it was decided to add Lower Rd to the Proposed Bernhards Bay Water District Map, Plan and Report. The following resolution needs to be adopted by the board to proceed.

Councilman Colesante

Introduced the following and moved its adoption:

**INTENT TO BE LEAD AGENCY RESOLUTION
TOWN OF CONSTANTIA TOWN BOARD**

WHEREAS, the Town of Constantia (Town) is progressing the Bernhards Bay Water District (Project); and

WHEREAS, the Project is a "Type I action" as defined by the State Environmental Quality Review Act (SEQRA); and

WHEREAS, Part I of the Full Environmental Assessment Form (FEAF) and project map must be completed and circulated to all Involved Agencies for establishing the Town Board as "Lead Agency" in accordance with 6NYCRR Part 617.6 for the purpose of conducting a SEQRA/SERP review of the Project; and

WHEREAS, it is the intent of the Town of Constantia Town Board to assume the role of "Lead Agency" for purposes of Project environmental review; and

WHEREAS, at the direction of the Town of Constantia Town Board, Barton & Loguidice, D.P.C. (B&L) has been authorized to proceed with engineering services including assistance in compliance with the State Environmental Quality Review Act (SEQRA); and

WHEREAS, B&L has completed Part I of the Full Environmental Assessment Form.

NOW, THEREFORE, BE IT

RESOLVED AND DETERMINED, that the Supervisor of the Town of Constantia be and hereby is authorized to sign Part I of the Full Environmental Assessment Form; and it is further

RESOLVED AND DETERMINED, that the Town of Constantia Supervisor and Town Board will circulate said Full Environmental Assessment Form to the attached list of "Interested and Involved Agencies"

under cover of the attached "Notice of Intent to Establish Lead Agency" letter for purposes of establishing Lead Agency status under SEQRA/SERP; and it is further

RESOLVED, that the Town of Constantia Supervisor and Town Board, together with the Town of Constantia Attorney and B&L, are hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this determination, seconded by Councilman Metzger.

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

The foregoing resolution was thereupon declared duly adopted.

Tom Moran	Councilman	Voted	Yes
Chad Whitney	Councilman	Voted	Yes
Richard Colesante	Councilman	Voted	Yes
John Metzger	Councilman	Voted	Yes
Kenneth Mosley	Supervisor	Voted	Yes

Mr. Colesante asked if we should be moving forward or wait for the Village. Mr. Parker was hoping to have everything done, might be hard for the funding agency to tell the Town no when advanced this far.

Mr. Colesante made the motion to approve the Map, Plan and Report dated August 2015 seconded by Mr. Metzger.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

Now that this is approved, letters will go out to various agencies letting them know of the project. A full list of agencies is on file at the Town Clerk's Office. Mr. Colesante asked if any agency does not agree with the town being lead agency, what happens. Mr. Parker responded that it never happens.

A public hearing will be held at the next town board meeting, 6:30pm on September 15th. Mr. Colesante would like to not only put in the required legal notice but also an article in the Citizen Outlet letting the residents know of the public hearing, board members agreed.

Mr. Parker also brought with him Amendment No. 1 to Engineering Services Agreement Shifting Unused Subcontractor Allowance for Additional Project Development Assistance. This request will be to shift \$3,780.00 of unused portion of the subcontractor allowance which will cover additional project development assistance. Mr. Moran made the motion to authorize Supervisor Mosley to sign the Amendment dated August 5, 2015, seconded by Mr. Colesante.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

SEWER:

Nothing to report.

BOARD INITIATIVES AND COMMENTS:

- Heating quotes are in, Mr. Mosley will review and present at the special meeting on August 27th at 9am.
- Mr. Woolridge has reviewed the last section of the handbook that pertains to DOT requirement, everything looks good. Mr. Bader and board members will review before a meeting is set.

MINUTES:

Mr. Metzger made the motion to accept the minutes of the July 16th special meeting and the July 21th town board meeting, seconded by Mr. Whitney.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

VOUCHERS:

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #8, Dated August 18, 2015:

General Fund	245-275	\$ 16,742.32
Highway Fund	142-161	\$163,072.68

Seconded by Mr. Moran.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

SUPERVISOR:

The Supervisor's report for July is missing 2 pages, will wait for the September town board meeting to approve.

HIGHWAY:

Mr. Woolridge reported:

- Blacktop on roads is finished, 2.8 miles on Shacksbush Rd., 1.5 miles on Kibbie Lake Rd, Johnson Rd, Martin Rd and part of Center St.
- Mowing the roadside the second time around
- Clearing trees and widening Cook Rd
- Crushing stone and screening
- 7 dumpsters for August 6th 7th and 8th – about 22 vehicles came to drop, no tonnage to report yet.

Mr. Whitney made the motion to accept the Highway Superintendent report, seconded by Mr. Metzger.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

Discussion turned to the plaques for the donated benches, Mr. Moran made the motion to spend no more than \$200.00 for two plaques for both benches, seconded by Mr. Whitney.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

TOWN CLERK/TAX COLLECTOR:

Mrs. Haynes reported that the total receipts and disbursements for the month of July were \$1,960.00. Mr. Moran made the motion to accept the Town Clerk's report as presented, seconded by Mr. Metzger.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

ASSESSOR:

Nothing to report. – Mr. Moran asked Mr. Mosley to please ask Mr. Wheeler to submit a report monthly, second month without a report.

CODE ENFORCEMENT:

Mr. Whitney made the motion to accept the Code Officer's report as presented with total receipts for the month of July in the amount of \$506.00 seconded by Mr. Moran.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

JUSTICE:

Mr. Moran made the motion to accept Justice Pelon's and Justice Simpson's report for July, seconded by Mr. Metzger.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

DOG CONTROL:

Mr. Colesante made the motion to approve the Dog Control Officer's report as presented, seconded by Mr. Moran.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

PLANNING BOARD:

June 23, 2015 minutes received.

Mr. Moran would like to fill the position on the planning board vacated by Ms. Brenda Ko when she resigned. Mr. Moran made the motion to fill her seat with Alternate Ms. Rita Petkash, term to expire on December 31, 2015, seconded by Mr. Metzger.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes

Mr. Moran requested Ms. Haynes to advertise for vacant positions on the planning board, board of appeals and board of assessment review.

BOARD OF APPEALS:

None

BOARD COMMENT:

Mr. Colesante asked Mr. Hall, CEO what will be the next step to deal with violations. Mr. Hall will issue citations after 30 days if no action then Mr. Bader will become involved to send a process server and eventually go to court. Mr. Moran asked Mr. Hall to keep the board informed of his actions.

Mr. Colesante spoke about the memorials that residents have come forward and asked about in areas of the town. These requests need to be addressed in a standard way. When it comes to memorials at the park, the park and recreation commission will handle them. When it comes to the benches and trees in the town, the revitalization committee will handle these requests, the town board will still have oversight.

TUG HILL COMMISSION:

Paul Baxter reported:

- The process to hire an Executive Director of the Tug Hill Commission has started
- September 10th in Central Square there will be a workshop on Site Plan Review
- Consolidated Funding Application has been submitted for the North Shore Water Access project

ADJOURN:

At 9:22 pm Mr. Moran made the motion to adjourn, seconded by Mr. Whitney.

Carried: Moran – Yes Whitney – Yes Colesante – Yes Metzger – Yes Mosley - Yes