

TOWN OF CONSTANTIA  
**MINUTES - BUDGET MEETING-TOWN BOARD-OCTOBER 22, 2015**  
4:00 p.m. Constantia Town Hall

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

Absent: Wayne Woolridge – Highway Superintendent

**CALL TO ORDER:**

At 4:00 p.m. the budget meeting of the town board was called to order with the pledge of allegiance.

**PURPOSE:**

The purpose of this meeting is to discuss the 2016 budget.

**DISCUSSION:**

Ms. Butler gave the board a new preliminary town budget dated October 22, 2015, this budget has the suggested changes from the prior meetings.

Discussion on the possible new building, what should be the next step. Mr. Colesante will be contacting Tug Hill to see if there are any consolidation grants, there should be something out there. Mr. Moran was wondering about financing to see where the money comes from, this is not a new concept there has to be information out there, should discuss this with Mr. Bader.

Mrs. Foster has sent an email to Mr. Mosley asking for a pay increase for her work as the secretary to both the planning board and the board of appeals. This is not a payroll position Mrs. Foster gets appointed yearly, her new hourly amount will be approved at the organizational meeting of the town board in January.

The special reserve fund for highway and Town Park were discussed, it was agreed that the new fuel island and the oil and water separator will come out of this fund the remainder will be for park improvements.

It was decided the amount to balance the budget should be put into contingency, that way the money is assessable if needed.

**RESOLUTIONS:**

The following resolutions were brought before the board as discussed at the town board meeting on October 20<sup>th</sup>.

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION  
October 22, 2015**

The following resolution was offered by Councilman Colesante, who moved its adoption, seconded by Councilman Metzger, to wit:

**WHEREAS**, the Town of Constantia Unsafe Buildings Law (Local Law No. 1 of the year 1991) provides for the safety, health, protection and general welfare of persons and property in the Town of Constantia by requiring unsafe buildings to be repaired or demolished or removed; and

**WHEREAS**, complaints have been made by neighbors in the area that the building and property located at 1396 County Route 17, Bernhards Bay, New York are dangerous and unsafe; and

**WHEREAS**, pursuant to Section 4 of the Town of Constantia Unsafe Buildings Law, the Building Inspector made a formal inspection of the said premises on October 20, 2015; and

**WHEREAS**, in the course of said formal inspection, the Building Inspector determined that the property is in violation of the New York State Property Maintenance Code Section 108.3 (unfit for human occupancy), 301.2 (maintenance responsibility), 301.3 (vacant structures and land), 302.4 (weeds) and 302.5 (rodent harborage); and

**WHEREAS**, based upon his formal inspection of the premises, the Building Inspector found that the building and property are dangerous and unsafe because of the following facts and circumstances: (1) because of its condition, the building is unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of the Town of Constantia; (2) the structure has a very large hole in the foundation and in the back of the structure; (3) the structure is open at the doorways and windows, making it accessible to and an object of attraction to minors under eighteen (18) years of age, as well as to the vagrants and other trespassers; (4) the premises is or may become a place of rodent infestation; (5) the

premises consists of debris, rubble or parts of buildings left on the ground after demolition, reconstruction, fire or other casualty; and (6) the roof appears to be sagging; and

**WHEREAS**, pursuant to Section 4 of the Town of Constantia Unsafe Buildings Law, the Building Inspector has rendered a report to the Town Board in writing setting forth his findings and recommending that the structure be boarded up to prevent entry and that the outside area be maintained in a safe manner or demolished; and

**WHEREAS**, after consideration of the Building Inspector's report, the Town of Constantia Town Board determined that the premises at 1396 County Route 17, Bernhards Bay, New York is dangerous and unsafe to the public.

**NOW, THEREFORE**, in consideration of the foregoing, it is hereby

**RESOLVED AND ORDERED**, that the premises located at 1396 County Route 17, Bernhards Bay, New York must be leveled and the outside area maintained in a safe manner; and it is further

**RESOLVED**, that the Town Board shall conduct a hearing at the Town Hall located at 14 Frederick Street in the Town on November 17, 2015 at 7:00 p.m., or as soon thereafter as the matter can be heard, to determine whether the above Order to Repair shall be affirmed or modified or vacated and, in the event of modification or affirmance, to assess all costs and expenses incurred by the Town in the repair or removal of such building or structure against the land on which said building or structure is located, at which time all persons interested in the subject shall be heard; and it is further

**RESOLVED AND ORDERED**, that no person other than the owner or his agent shall enter upon the property located at 1396 County Route 17, Bernhards Bay, New York, and such property shall be posted with signs indicating "NO TRESPASSING;" and it is further

**RESOLVED**, pursuant to the Town of Constantia Unsafe Buildings Law, Notice shall be given to the appropriate parties as set forth therein.

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>Chad Whitney</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Tom Moran</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Richard Colesante</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Metzger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Hon. Ken Mosley</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: October 22, 2015**

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION  
October 22, 2015**

The following resolution was offered by Councilman Colesante, who moved its adoption, seconded by Councilman Metzter, to wit:

**WHEREAS**, the Town of Constantia Unsafe Buildings Law (Local Law No. 1 of the year 1991) provides for the safety, health, protection and general welfare of persons and property in the Town of Constantia by requiring unsafe buildings to be repaired or demolished or removed; and

**WHEREAS**, complaints have been made by neighbors in the area that the building and property located at 1540-44 State Route 49, Constantia, New York are dangerous and unsafe; and

**WHEREAS**, pursuant to Section 4 of the Town of Constantia Unsafe Buildings Law, the Building Inspector made a formal inspection of the said premises on October 20, 2015; and

**WHEREAS**, in the course of said formal inspection, the Building Inspector determined that the property is in violation of the New York State Property Maintenance Code Section 108.3 (unfit for human occupancy), 301.2 (maintenance responsibility), 301.3 (vacant structures and land), 302.4 (weeds) and 302.5 (rodent harborage); and

**WHEREAS**, based upon his formal inspection of the premises, the Building Inspector found that the building and property are dangerous and unsafe because of the following facts and circumstances: (1) because of its condition, the building is unsafe, unsanitary or dangerous to the health, morals, safety or general welfare of the people of the Town of Constantia; (2) the structure has broken, missing and boarded up windows, making it accessible to and an object of attraction to minors under eighteen (18) years of age, as well as to the vagrants and other trespassers; (3) the premises is or may become a place of rodent infestation; and (4) the roof appears to be sagging; and

**WHEREAS**, pursuant to Section 4 of the Town of Constantia Unsafe Buildings Law, the Building Inspector has rendered a report to the Town Board in writing setting forth his findings and recommending that the structure be boarded up to prevent entry and that the outside area be maintained in a safe manner or demolished; and

**WHEREAS**, after consideration of the Building Inspector's report, the Town of Constantia Town Board determined that the premises at 1540-44 State Route 49, Constantia, New York is dangerous and unsafe to the public.

**NOW, THEREFORE**, in consideration of the foregoing, it is hereby

**RESOLVED AND ORDERED**, that the premises located at 1540-44 State Route 49, Constantia, New York must be leveled and the outside area maintained in a safe manner; and it is further

**RESOLVED**, that the Town Board shall conduct a hearing at the Town Hall located at 14 Frederick Street in the Town on November 17, 2015 at 7:00 p.m., or as soon thereafter as the matter can be heard, to determine whether the above Order to Repair shall be affirmed or modified or vacated and, in the event of modification or affirmance, to assess all costs and expenses incurred by the Town in the repair or removal of such building or structure against the land on which said building or structure is located, at which time all persons interested in the subject shall be heard; and it is further

**RESOLVED AND ORDERED**, that no person other than the owner or his agent shall enter upon the property located at 1540-44 State Route 49, Constantia, New York, and such property shall be posted with signs indicating "NO TRESPASSING;" and it is further

**RESOLVED**, pursuant to the Town of Constantia Unsafe Buildings Law, Notice shall be given to the appropriate parties as set forth therein.

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>Chad Whitney</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Tom Moran</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Richard Colesante</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Metzger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Hon. Ken Mosley</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: October 22, 2015**

The board also wanted to make it clear as to the property in Panther Lake the vehicles should be handled as a separate matter.

**ADJOURN:**

At 5:15 the meeting adjourned.