

TOWN OF CONSTANTIA  
**MINUTES – SUPERVISOR’S MEETING – December 3, 2018**  
9:00 am Constantia Town Hall

Present: Kenneth Mosley - Supervisor  
Richard Colesante (11:30am), John Metzger (9:30am), Thomas Moran, Frank Tomaino – Council Members  
Clare Haynes – Town Clerk  
Wayne Woolridge - Highway Superintendent  
Warren Bader - Town Attorney

Others Present: Paul Baxter – Tug Hill Commission

**CALL TO ORDER:**

At 9:00 am Mr. Mosley called the meeting to order with the pledge of allegiance.

**LIGHTING:**

Mr. Moran updated the board on the LED Outdoor Street Lighting Conversion Program from National Grid. The Town has two lighting districts with 125 total luminaires. If the Town decides to take advantage of this program there will be a potential savings of \$3,700.00 a year in energy costs. The Town will need to expend \$6,688.54 for the new LED lights and installation, once all are installed and working properly National Grid will reimburse an estimated \$7,040.00. Mr. Moran indicated a resolution will need to be passed, and Ms. Butler will need to do a budget modification to transfer the monies into each lighting district.

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

**The Town Board for the Town of Constantia wishes to take part in the LED Outdoor Street Lighting Conversion Program offered by National Grid.**

**Account number associated with this program is: 30952-95107.**

**Premise Reference: Bernhards Bay**

**SL Reference Number: 77938-82100**

**And**

**Premise Reference: Constantia Lights**

**SL Reference Number: 78138-82108**

**There will be an expense of \$6,688.54 to National Grid for the lights and installation of 125 total luminaries in the Town of Constantia. Once all luminaries are installed and verified the estimated EE Incentive could be \$7,040.00.**

Seconded by Councilman: **Tomaino**

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

Kenneth Mosley	Voted	<b>Yes</b>
Richard Colesante	Voted	<b>Absent</b>
John Metzger	Voted	<b>Yes</b>
Tom Moran	Voted	<b>Yes</b>
Frank Tomaino	Voted	<b>Yes</b>

Mr. Moran made the motion to have Mr. Wheeler, Assessor produce a listing on which properties are within Lighting District #1 and Lighting District #2, seconded by Mr. Metzger.

Carried: Moran – Yes Tomaino – Yes Colesante – Absent Metzger – Yes Mosley - Yes

**PROPOSED SEWER DISTRICT:**

Mr. Tomaino asked about the Map Plan & Report for the potential sewer district, is Barton & Logudice going be supplying options for this district, not just what he is calling a mega district. Mr. Metzger believes they will do a full build out along with a phase option. Mr. Pond at the last meeting did indicate that the proposed district is too large and costly to accomplish in one phase.

**NORTH SHORE AMBULANCE:**

Members of the board requested Mr. Mosley reach out to both Mr. Robbins and Mr. Denny from North Shore Ambulance and invite them to our February 4, 2019 supervisor’s meeting. Mr. Tomaino is impressed at the communication that is happening now between the ambulance and the town board, when Mr. Tomaino was originally on the board this was not the case.

**PROCUREMENT POLICY:**

Mr. Tomaino brought up the procurement policy, Mr. Tomaino feels we are manipulating the policy with how the specs are being written. Mr. Tomaino is uncomfortable with this practice. Discussion followed as to the purchase of the excavator and if this piece of equipment is needed. Mr. Metzger did speak to Mr. Woolridge with his concerns, Mr. Woolridge told them that by purchasing this piece of equipment it will help the life expectancy of the gradall. Possible awarding of the bid will be at the December 18<sup>th</sup> town board meeting.

**OLD NICE AND EASY PROPERTY:**

Members of the town board and Mr. Haynes, Code Enforcement Officer did meet the current owner of 1403 State Route 49 is interested in donating the property to the town of Constantia. The building itself is in need of work,

Mr. Haynes indicated the east end is rotten and will need to be repaired, electrical will need work, the furnace is fairly new but has no way of knowing if it is sized correctly. When putting in the furnace, did they take into account the other heat sources within the building. There is black glue on the floor, no way of knowing if it is asbestos, Mr. Haynes did say in his experience it most likely is, you can cover with another floor or remove it. The bathroom will need to be brought up to ADA compliance. There are 3 compressors out back, unknown if freon is still in the lines and it is R12 that is very expensive to remove.

Mr. Metzger's concerns are listed above along with septic, drainage, need for architect, painting, cleaning, ceiling, water heater. Not to mention the yearly costs associated with the building heat, electric, insurance, trash, along with the loss of tax revenue. All agree there are uses for the building, but not sure they want to encumber residents on an annual basis. Mr. Tomaino is against accepting the building, Mr. Mosley is unsure. Mr. Moran did speak on possible uses, the OCO Senior Program did leave Constantia because there was not a building suitable for their use. With the dissention of the other board members, Mr. Moran asked about the church, are the board members saying no to a community center. The church would need the same type of commitment. Mr. Colesante joined the meeting, he can see either building as a recreation center, which in his mind would need to be staffed. Mr. Colesante agrees it would be nice, but already having the park, adding an additional \$30,000 to the budget is a lot to ask. A final decision will be needed at the December 18<sup>th</sup> town board meeting.

\*At 12:00pm Mr. Tomaino left the meeting.

### **SOLAR AND WIND MORATORIUM:**

Councilor Colesante introduced proposed Local Law No. 1-2018 regarding imposing a nine (9) month moratorium on Free Standing Solar Panel Installations within the Town of Constantia and made the following Resolution, which was seconded by Councilor Moran:

**WHEREAS**, this moratorium will enable the Town to undertake review and comprehensively address the issues involved with free standing solar panel installations; and

**WHEREAS**, proposed Local Law 1-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, the Town recognizes the potential benefits and desirability of solar power energy sources, but determines that time and research is necessary to determine how to properly regulate such installations; and

**WHEREAS**, the Town Board has deemed this moratorium urgent and immediately necessary in order to preserve status quo while this issue is examined by the Town; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws 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 this proposed local law, is a Type II action under SEQR, thus concluding the environmental review process; and it is further

**RESOLVED AND DETERMINED**, that the Town Board directs the Town Attorney to refer proposed Local Law 1-2018 to the Oswego County Planning Board in accordance with General Municipal Law Section 239; and it is further

**RESOLVED AND DETERMINED**, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law 1-2018 at the Town Hall located at 14 Frederick Street, Constantia, New York on January 8, 2019 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard, at which time all persons interested in the subject shall be heard.

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

<b>Ken Mosley</b>	<b>Supervisor</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>Tom Moran</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Frank Tomaino</b>	<b>Councilor</b>	<b>Voted</b>	<b>Absent</b>

The foregoing Resolution was thereupon declared duly adopted.

Councilor Colesante introduced proposed Local Law No. 2-2018 regarding imposing a nine (9) month moratorium on Wind Energy Conversion Systems within the Town of Constantia and made the following Resolution, which was seconded by Councilor Moran:

**WHEREAS**, this moratorium will enable the Town to undertake review and comprehensively address the issues involved with Wind Energy Conversion Systems; and

**WHEREAS**, proposed Local Law 2-2018 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, the Town recognizes the potential benefits and desirability of wind energy sources, but determines that time and research is necessary to determine how to properly regulate such installations; and

**WHEREAS**, the Town Board has deemed this moratorium urgent and immediately necessary in order to preserve status quo while this issue is examined by the Town; and

**WHEREAS**, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of Local Laws 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 this proposed local law, is a Type II action under SEQ, thus concluding the environmental review process; and it is further

**RESOLVED AND DETERMINED,** that the Town Board directs the Town Attorney to refer proposed Local Law 2-2018 to the Oswego County Planning Board in accordance with General Municipal Law Section 239; and it is further

**RESOLVED AND DETERMINED,** that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law 2-2018 at the Town Hall located at 14 Frederick Street, Constantia, New York on January 8, 2019 at 6:00 p.m., or as soon thereafter as the matter can be heard, at which time all persons interested in the subject shall be heard, at which time all persons interested in the subject shall be heard.

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

<b>Ken Mosley</b>	<b>Supervisor</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>Tom Moran</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Frank Tomaino</b>	<b>Councilor</b>	<b>Voted</b>	<b>Absent</b>

The foregoing Resolution was thereupon declared duly adopted.

**DISCUSSION:**

Mr. Haynes updated the board on an issue with Mr. Duggleby 149 Martin Rd. Mr. Duggleby currently runs a horse farm, which he has recently advertised as a wedding venue. Mr. Duggleby has met with Mr. Haynes and he is not happy that he will need to bring the building up to code. Mr. Colesante told Mr. Haynes that he should verify with Mr. Bader that such change is considered a change of use by our local law if it is then Mr. Duggleby should be sent a letter explaining that any change of use needs to go in front of the planning board.

**ADJOURN:**

At 12:30 pm the meeting adjourned.