

TOWN OF CONSTANTIA  
**MINUTES - TOWN BOARD – December 17, 2019**  
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor  
Richard Colesante, Thomas Moran, Frank Tomaino – Council Members  
Clare Haynes – Town Clerk  
Warren Bader – Town Attorney  
Roy Reehil – County Legislator

Absent: John Metzger – Councilman  
Wayne Woolridge – Highway Superintendent

**CALL TO ORDER:**

At 7:30 pm Mr. Mosley after closing the public hearing called the town board meeting to order.

**PUBLIC COMMENT:**

None.

**SEWER:**

Mr. Clark notified Mr. Mosley that the sewer district was awarded \$5M from WIIA, this is the total amount that was requested from this program.

**COUNTY LEGISLATOR:**

Mr. Reehil Reported:

- County Budget for 2020 has passed with a slightly lower tax levy.
- The County has passed a resolution to oppose the new bail reform, District Attorney Oakes is also against the new laws as well as Sheriff Hilton. All agencies are trying to make changes to keep up with the new legislation, all parties agree there are some big problems with this new New York State Law.
- The County is also opposing the new rules on driver's licenses for illegal aliens, Mr. Reehil was hoping to speak to Mr. Backus, County Clerk to see how this has been effecting the local DMV offices. Mr. Reehil will reach back out to Mr. Backus to get some additional information.
- Mrs. Haynes asked Mr. Reehil about Air B&B's in the County and if he was aware that the County is not getting proper re-imbusement for the "Bed Tax". Mr. Reehil is aware, when he was the Chair for the Economic Development & Planning Board, Mr. Reehil reached out to Senator Ritchie and Assemblyman Barclay for their help in changing the State Law which will allow Oswego County to collect the tax. Unfortunately neither Senator Ritchie nor Assemblyman Barclay were willing to carry the legislation to the floor. Mr. Reehil suggested a letter from the Town to both Ritchie and Barclay, Mr. Bader was asked to write the letter for the board members to approve and sign.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the November 19<sup>th</sup> town board meeting, seconded by Mr. Colesante.

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

**VOUCHERS:**

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #12 Dated December 17, 2019:

General Fund	403-444	\$ 53,885.86
Highway Fund	193-207	\$145,296.03
Bernhards Bay Water District	156	\$ 1,450.00

Seconded by Mr. Moran.

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

**BUDGET TRANSFER:**

Mr. Moran made the following motion:

Referring to Budget Transfer #4 for November 2019, General Fund, Account D8090.4 Enviro (Sewer) is over budget \$692.50, I therefore make a motion to transfer \$692.50 from Contingency Account A1990.4 to replenish the aforementioned over budget account. This will leave \$75,193.03 balance in Contingency Account.

Also referring to Highway Fund Budget Transfer #1 for November 2019 the following accounts are over budget:

DB5130.1	Machinery P.S.	\$1,129.52
DB9010.8	State Retirement	<u>\$7,359.00</u>
	Total Over Budget	\$8,488.52

Ms. Butler has determined the estimated unappropriated highway fund balance is \$181,192.00, therefore this motion also included transferring \$8,488.52 from the estimated \$181,192.00 to replenish the two aforementioned over budget accounts. This will leave \$172,703.48 balance in the estimated unappropriated highway fund balance. This concludes my motion. The motion was seconded by Mr. Tomaino.

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

**SUPERVISOR:**

Mr. Moran made the motion to approve the Supervisor’s report dated November 30, 2019, seconded by Mr. Tomaino.

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

Mr. Moran is updated the board on the new street lighting, in 7 months the Town has saved \$2,400.00.

**TOWN CLERK:**

Mrs. Haynes reported that the total receipts and disbursements for the Town Clerk’s Office for the month of November were \$1,542.00. Mr. Moran made the motion to accept the Town Clerk’s report as presented, seconded by Mr. Tomaino.

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

**CODE ENFORCEMENT:**

Total Receipts for November:

\$1,010.00 – Balance with Town Clerk

- Issued 6 permits this month
- 4 planning board application
- Closed 9 permits

3 additional buildings have been razed in the Town.

- Marsden Drive
- County Route 23
- Doris Park Drive

I attended the planning board meeting in November and plan on attending again in December as we are coming to a conclusion on the Duggleby property.

I continue to work on the camping trailer issue within the Town.

If you have any questions, please feel free to contact me.

Mr. Moran motion to accept the Code Enforcement Officer’s report as received, seconded by Mr. Tomaino.

Carried: Moran – Yes            Colesante – Yes    Tomaino – Yes    Mosley – Yes

**JUSTICE:**

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

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

**DOG CONTROL:**

Mr. Tomaino made the motion to accept the Dog Control Officer’s report as received, seconded by Mr. Moran.

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

**PLANNING BOARD:**

No report

**PARK AND RECREATION:**

No report

**TUG HILL COMMISSION:**

Mr. Baxter reported:

1. An executive summary of the Tug Hill 2019 Residents and Landowners Survey is now available, and I have copies for the board. The entire report is available at <https://www.tughill.org/about/survey-2019/> , or on the Tug Hill web site, select About Us > Tug Hill Resident and Landowner Survey 2019. Beyond its basic usefulness, survey results are something the town may be able to use for support of grant applications the town may consider in the future. There is a breakout of the result to the NorCOG level, and further analysis is available on request.
2. The Tug Hill Local Government Conference is coming up, Thursday, March 26, 2020, once again at Jefferson Community College. The program and registration materials are scheduled to go out around the turn of the year. As always, if the town has training topics they’d like to see covered, we’re always looking for suggestions, and we do individual community or group training sessions throughout the year.
3. The 2020 Federal Census is coming up. I recently attended an informational session about the 2020 Census, and I have a folder with background material about it for the board. Participation in the Census is to the benefit to Tug Hill municipalities to make sure we are represented to the full extent in the decade to come.
4. The Tug Hill Commission has adopted its 2020 meeting schedule, and the first meeting of the year will be not too far away, at the Amboy Town Hall on Monday, January 27, at 10:00 a.m. The meeting to be held in the NorCOG area later in 2020 will be on Monday, September 21, at the Central Square Village Offices at 10:00 a.m.
5. The new county winter/spring events brochure is out, and I have copies for the board and for the public. The county will be seeking input for the summer/fall 2020 brochure starting in January.

**BOARD INITIATIVES AND COMMENTS:**

- End of year meeting scheduled for December 31<sup>st</sup> if needed
- January 2<sup>nd</sup> Organizational Meeting at 6:30pm

-Mr. Colesante made the motion to re-appoint Mr. Thomas R. Noonan to the Board of Assessment Review, Term Expires 9/30/2024, seconded by Mr. Tomaino.

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

The following resolutions was read into the minutes by Mr. Bader:

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION  
December 17, 2019**

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

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, proposed Local Law D-2019 “A Local Law Regarding Power Generating Windmills as On-Site Use Wind Energy Systems in the Town of Constantia”, was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held November 19, 2019; and

**WHEREAS**, a public hearing was held on said proposed Local Law No. D-2019 on December 17, 2019 by the Town Board of the Town of Constantia and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Constantia in its final form in the manner required by Section 20 of the Municipal Home Rule of the State of New York; and

**WHEREAS**, at its November 19, 2019 meeting the Town Board determined that this proposed legislation is a Type I action and issued a negative declaration for purposes of SEQR, thus concluding the environmental review process; and

**WHEREAS**, proposed Local Law D-2019 was duly referred to the Oswego County Department of Community Development, Tourism and Planning pursuant to General Municipal Law Section 239 l, m and n; and

**WHEREAS**, upon its review of proposed Local Law D-2019 Oswego County Department of Community Development, Tourism and Planning determined that no significant inter-community or county-wide impacts are anticipated from enactment of said Local Law; and

**WHEREAS**, the Town Board of the Town of Constantia is the only entity authorized to enact local legislation and particularly laws regulating various uses in the Town of Constantia; and

**WHEREAS**, the Town Board of the Town of Constantia has broad home rules powers pursuant to the New York Municipal Home Rule Law and is fully empowered to enact local laws for the protection and enhancement of the Town’s physical and visual environment and for the government, protection, safety, health and well-being of persons and property within the Town; and

**WHEREAS**, pursuant to the Town Board’s broad home rules powers the Town Board is empowered to regulate and restrict the location and proliferation of land uses within the Town of Constantia, including the placement and use of wind energy systems; and

**WHEREAS**, proposed Local Law D-2019 strikes an appropriate balance between allowing the proliferation of renewable energy sources and the use of certain wind energy systems within the Town while maintaining regulations and limitations designed to protect the health, safety, welfare and character of the Town; and

**WHEREAS**, it is in the public interest to enact said Proposed Local Law No. D-2019.

**NOW, THEREFORE**, it is

**RESOLVED AND DETERMINED**, that, based upon the foregoing, the Town Board of the Town of Constantia, Oswego County, New York, does hereby enact Proposed Local Law No. D-2019 as Local Law No. 4-2019 as follows:

**“TOWN OF CONSTANTIA  
PROPOSED LOCAL LAW NO. 4 of 2019  
A LOCAL LAW OF THE TOWN OF CONSTANTIA  
REGARDING POWER GENERATING WINDMILLS AS  
ON-SITE USE WIND ENERGY SYSTEMS IN THE TOWN**

Be it enacted by the Town Board of the Town of Constantia as follows:

**Section 1710**

New Article 17 of the Land Development Law of the Town of Constantia is hereby amended to include the following definitions:

“SMALL WIND ENERGY SYSTEM” or “ON-SITE USE WIND ENERGY SYSTEM” - A wind energy conversion system consisting of a wind turbine, a tower, and associated controller-conversion electronics which has a rated capacity of no greater than 15 kW for single-family residential related use and no greater than 125 kW (for non-residential and farm applications) and which is intended to reduce on-site consumption of utility power.

“WIND ENERGY CONVERSION SYSTEM” - A machine that converts the kinetic energy in the wind in a usable form (commonly known as a “wind turbine” or “windmill”). The wind energy conversion system or “WECS” includes all parts of the system.

**Section 1720**

L.D.L. of the Code of the Town of Constantia is hereby created to read as follows:

**Section 1730 – On-site Use Wind Energy Systems.**

- A. Intent and Purpose. The Town of Constantia through these regulations seeks to promote the safe, effective and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity. The Town of Constantia recognizes that wind energy is an abundant, renewable, non-polluting energy resource and that its conversion to electricity will reduce our dependence on non-renewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources. It is therefore the intent and purpose

of these regulations to balance the encouragement of this renewable resource with any impacts such use may have on health, welfare and safety to the community and preserving and protecting the aesthetic qualities of the Town of Constantia.

These regulations relate to small or on-site use wind energy systems and do not address large-scale wind turbines or “wind farms” which are typically intended to sell energy directly to power companies or retail users. Non-small wind energy systems shall require a use variance.

- B. Permits Required. No person, firm or corporation, or other entity being the owner or occupant of any land or premises within the Town of Constantia shall use or permit the use of land or premises for the construction of a tower for on-site use wind energy deriving purposes without obtaining a special use permit issued by the Town and a site plan approval issued by the Planning Board as hereinafter provided.
- C. Special Use Permit. In addition to the criteria established pursuant to L.D.L., the following criteria are hereby established for purposes of granting a special use permit for an on-site use wind energy conversion system under this chapter:
1. Noninterference. Individual on-site use wind energy conversion systems shall not be installed in any location along the major axis of an existing microwave communications operation where its operation is likely to produce an electromagnetic interference in the link’s operation.
  2. Proximity to Radio, Television and Telephone Systems. Individual on-site use wind energy conversion systems shall not be installed in any location where its proximity interferes with existing fixed broadcast, retransmission, or reception antennae for radio, television or wireless phone.
  3. Prohibited Areas. The waters of Oneida Lake within the jurisdiction of the Town of Constantia.
  4. Noise Limitations. The level of noise produced during wind turbine operation shall not exceed 50 dba beyond the present ambient sound levels at pre-construction levels, as measured at the boundaries of the closest parcels that are owned by non-site owners and that abut either the site parcels or any other parcels adjacent to the site held in common by the owner of the site parcel, as those boundaries exist at the time of the special use permit application. The Applicant will be required to submit technical data to the satisfaction of the Planning Board as to this requirement. This obligation shall be a continuing obligation with exceptions only for short-term events such as utility outages and severe windstorms.
  5. Height. It is recognized that wind turbines require greater heights to reach elevations with wind currents reasonably adequate to generate energy. On-site use wind energy conversion systems shall not exceed a total height of 80 feet for single-family residential applications ( $\leq 15$  kW) and shall not exceed a total height of 150 feet for non-residential applications (i.e. farm, small business, etc. -  $\leq 125$  kW) from the ground to the top of the highest point of blade height (tip) as extended at its highest vertical point, provided that the application includes specific evidence that the proposed total height does not exceed the height recommended by the manufacturer or distributor of the on-site use wind energy conversion system.
  6. FAA Requirements. If the proposed site is near an airport, seaplane base, or established flight zone, such wind energy conversion system must meet all Federal Aviation Administration requirements.
  7. Ground Clearance. The minimum distance between the ground and any part of the rotor blade must be 30-feet.
  8. Emergency Shutdown/Safety. The Applicant shall post an emergency telephone number so that the appropriate entities may be contacted should any wind turbine need immediate repair or attention. This telephone number should be clearly visible on a permanent structure or post located outside of the fall zone of the tower. Location should be convenient and readily noticeable to someone likely to detect a problem. Further, no wind turbine shall be permitted which lacks automatic braking, governing or feathering system to prevent uncontrolled rotation, over-speeding, and excessive pressure on the tower structure, rotor blades, and turbine components or enclosed shelter.
  9. Lightning Protection. All energy towers shall have lightning protection.
  10. Ownership. Ownership of the wind energy conversion system must be the same as the owner of the fee interest in the real property upon which it is situated. In the event of transfer of ownership of the premises, the ownership of the wind energy conversion system must also be transferred to same or the tower must be decommissioned.
  11. Utility Service. All power lines from the wind turbines to on-site interconnection equipment shall be located underground and installed by certified professionals and must meet all applicable national, state and local electrical codes.
  12. Lighting. No on-site use wind energy conversion systems under this provision shall be artificially lighted, unless so required by the FAA. Use of nighttime, and overcast daytime conditions, stroboscopic lighting to satisfy tower facility lighting requirements for the Federal Aviation Administration may be subject to on-site field testing before the Planning Board as a prerequisite to the Board’s approval with specific request to existing residential uses within 2,000 feet of each tower for which such strobe lighting is proposed.
  13. Access Road. To the greatest extent possible, existing roadways shall be used for access to the site and its improvements. In the case of constructing any roadways necessary to access the WECs, they shall be constructed in a way that allows for the passage of emergency vehicles in the event of an emergency. Each application shall be accompanied by correspondence from the responding fire department and emergency care provider as to the acceptability of the proposed ingress and egress to the tower.
  14. Security/Anti-Climb Device. The design of each device shall not allow for climbing by the public for a minimum height of 15-feet from the ground.
  15. Decommissioning. The Applicant shall submit to the Planning Board a letter of intent committing the owner, and his or her successors-in-interest, to notify the Code Enforcement Officer within thirty (30) days of the discontinuance of the use of the on-site use wind energy conversion system. This letter of intent shall be filed with the Code Enforcement Officer prior to the issuance of a Building Permit. The owner shall remove the obsolete or unused wind turbines and accessory structures within one (1) year of such notification. Failure to notify and/or

remove the obsolete or unused tower in accordance with these regulations shall be a violation of this Local Law and the cost of removing the on-site use wind energy deriving tower and accessory structures shall be placed as a lien on the property owner's tax bill. In addition, a reclamation bond shall be filed with the Town Clerk to cover the costs of reclamation of the tower. In addition, should the wind energy conversion system be non-operational for any continuous six (6) month period, the approvals granted shall be deemed void and the wind energy conversion system shall be decommissioned subject to a new approval under this Local Law. Such bond shall be in place prior to the issuance of a special use permit.

The applicant shall be required to execute and file with the Town Clerk a bond, or other form of security acceptable to the Town Attorney and Engineer, in an amount sufficient for the faithful performance of the terms and conditions of the permit issued under this Chapter, and to provide the decommissioning, removal and restoration of the site subsequent to the removal of the windmills. The amount of the bond or security shall be not less than 150% of the cost of the removal of the windmills and restoration of the site.

16. Setbacks. Wind energy conversion systems shall comply with all setbacks within the affected zone. However, in addition all on-site use wind energy conversion systems shall be setback a distance equal to the height of the tower plus blade length plus an additional 25-feet from all property lines, public roads, power lines and pre-existing and future structures. Additional setbacks may be required by the reviewing Board in order to provide for the public's safety, health and welfare, including the possibility of ice thrown from the blades.
17. Public Hearing. No action shall be taken by the Planning Board to issue site plan approval, nor the C.E.O. to grant a special use permit in relation to an application for an on-site use wind energy system until after public notice and public hearing. Proper notice of a hearing before a Board shall be given by legal notice published in the official newspaper of the Town of Constantia at least five (5) days before the date set for such public hearing(s) and written notice mailed to the Applicant or his agent at the address given in the application to be considered. The Applicant shall be responsible for notifying, by certified mail, all property owners of record within 300-feet of the outside perimeter of the boundary line of the property involved in the application of the time, date and place of such public hearing by mail at least ten (10) days prior to such hearing. Notice shall be deemed to have been given if mailed to the property owner at the tax billing address listed on the property tax records of the Town Assessor or at the property address. At least seven (7) days prior to such hearing, the Applicant shall file with the Board his/her Affidavit of verifying the mailing of such notices. Failure of the property owners to receive such notice shall not be deemed a jurisdictional defect.
18. Waiver. The Planning Board may, upon exercise of its reasonable discretion, waive one or more of the submission requirements imposed herein.
- D. Site Plan Review. The following submission requirements must be observed regarding a site plan application.
  1. Completed application form as supplied by the Town of Constantia for site plan approval for an on-site use wind energy conversion system.
  2. Proof of ownership of the premises involved or proof that the Applicant has written permission of the owner to make such application.
  3. A plot plan and development plan drawn in sufficient detail, as prepared by a licensed engineer or surveyor, clearly describing:
    - a. Property lines and physical dimensions of the proposed site, including contours at 5-foot intervals;
    - b. Location, approximate dimensions and types of all existing structures and uses on the site;
    - c. Location and elevation of the proposed on-site use wind energy conversion system;
    - d. Location of all existing above-ground utility lines and other on-site use wind energy conversion system within one thousand two hundred (1,200) linear feet of the site;
    - e. Location and size of structures or trees above 35-feet within a 500-foot radius of the proposed on-site use wind energy conversion system;
    - f. Where applicable, the location of all transmission facilities proposed for installation;
    - g. Location of all roads and other service structures proposed as part of the installation;
    - h. Landscape plan showing all existing natural land features, trees, forest cover and all proposed changes to these features, including size and type of plant material;
    - i. Soil type at construction site.
  4. Color. Neutral paint colors (grays) may be required to achieve visual harmony with the surrounding area.
  5. In no event shall more than one (1) on-site use wind energy system be granted for a residential lot, unless a variance is obtained from the Board of Appeals.
  6. All applications shall be accompanied by a full environmental assessment form, including a visual impact analysis. The following additional material may be required by the Planning Board:
    - (i) Digital elevation model-based project visibility map showing the impact of topography upon visibility of the project from other locations, to a distance radius of three (3) miles from the center of the project. Scaled use shall depict a three (3) mile radius as not smaller than 2.7 inches, and the base map shall be a published topographic map showing cultural features.
    - (ii) No fewer than four (4) color photos taken from locations within a three (3) mile radius from the proposed location, as selected by the Planning Board and computer enhanced to simulate the appearance of the as-built aboveground site facilities as they would appear from these locations.
7. Site Plan Review Criteria. In addition to the above, no site plan shall be approved unless the Planning Board determines that the proposed on-site use wind energy system complies with the following:
  - a. That the use is oriented in its location upon the site, as to layout, coverage, screening, means of access and aesthetics

so that:

- (1) The flow control and safety of traffic and human beings shall not be adversely affected to an unreasonable degree;
- (2) That there be reasonable compatibility on all respects with any structure or use in the neighborhood, actual or permitted, which may be directly substantially affected;
- (3) That there should not be any unreasonable detriment to any structure or use, actual or permitted, in the neighborhood; and
- (4) That there be a reasonable provision for open space, yards and recreation areas appropriate to the structure and use.

E. Compliance with Uniform Building Code.

1. Building permit applications shall be accompanied by standard drawings of structural components of the on-site use wind energy conversion system, including support structures, tower, base and footings. Drawings and any necessary calculations shall be certified, in writing, by a New York State Registered Professional Engineer that the system complies with the New York State Fire Prevention and Building Code. This Certification would normally be supplied by the manufacturer.

2. Where the structure, components or installation vary from the standard design or specification, the proposed modification shall be certified by a New York State Registered Professional Engineer for compliance with the Seismic and Structural Design Provisions of the New York State Fire Prevention and Building Code.

F. Compliance with State, Local and National Electric Codes.

1. Building permit applications shall be accompanied by a line drawing identifying the electrical components of the wind system to be installed in sufficient detail to allow for a determination that the manner of installation conforms with the National Electric Code. The application shall include a statement from a New York State Registered Professional Engineer indicating that the electrical system conforms with good engineering practices and complies with the National Electric Code, as well as applicable State and Local Electrical Codes. This certification would normally be supplied by the manufacturer. All equipment and materials shall be used or installed in accordance with such drawings and diagrams.

2. Where the electrical components of an installation vary from the standard design or specifications, the proposed modifications shall be reviewed and certified by a New York State Registered Professional Engineer for compliance with the requirements of the National Electric Code and good engineering practices.

G. Guy Wires. Anchor points for guy wires for the on-site use wind energy conversion system tower shall be located within property lines and not on or across any above-ground electric transmission distribution lines.

H. Insurance. The Applicant, owner, lessee or assignee shall maintain a current insurance policy which will cover installation and operation of the on-site use wind energy conversion system at all times. Said policy shall provide a minimum of \$300,000.00 property and personal liability coverage.

I. Inspections. The Building Inspector and/or Town Engineer shall have the right at any reasonable time to enter, in the company of the owner or his agent, the premises on which a wind energy conversion system is being or is constructed, to inspect all parts of said wind energy conversion system installation and require that repairs or alterations be made if in his judgment, there exists a deficiency in the operation or the structural stability of the system. If necessary, the Building Inspector or Town Engineer may order the system secured or to otherwise cease operation. It shall not be required that the owner or agent be present in the event of an emergency situation involving danger to life, limb or property.

J. Power to Impose Conditions. In granting any site plan approval, special use permit or variance for an on-site use wind energy conversion system, the Planning Board, Town of Constantia and Board of Appeals, as the case may be, may impose reasonable conditions to the extent that such Board finds that such conditions are necessary to minimize any adverse effect or impacts to the proposed use on neighboring properties.

K. Fees. Fees for applications and permits under this Local Law shall be established by resolution of the Town Board of the Town of Constantia.

L. Waiver. The Planning Board may, under appropriate circumstances, waive one or more of the submission requirements contained herein.

**Section 1740 - Severability.**

If any clause, sentence, paragraph, subdivision, section or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part thereof directly involved in the controversy in which such judgment is rendered.

**Section 1750 - Effective Date.**

This local law shall become effective immediately.

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>Absent</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>Yes</b>

The foregoing Resolution was thereupon declared duly adopted.

**DATED: December 17, 2019**

**ADJOURN:**

At 8:04 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Moran.

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