

TOWN OF CONSTANTIA
MINUTES - TOWN BOARD – August 18, 2020
7:30 pm Town of Constantia – Constantia Town Hall

Present: Kenneth Mosley - Supervisor
Richard Colesante, John Metzger, Frank Tomaino, Thomas Moran – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney
Erin Zehr – Park and Recreation Commission
Paul Baxter – Tug Hill Commission

Absent: Wayne Woolridge - Highway Superintendent

CALL TO ORDER:

At 7:30 pm Mr. Mosley called the town board meeting to order. As per recommended procedures during COVID-19 the town board and residents were seated 6ft apart.

PUBLIC COMMENT:

Mr. Joseph Eldred was in to hear more information on the sewer district. Mr. Eldred explained when the water went by his house there was some damage that he felt was caused by the placement of the water lines. Mr. Eldred wants to be more informed of the process.

PARK AND RECREATION:

Mrs. Zehr reported that this will be the last week of the food program at the park. The program was successful, supplied 40 meals a day.

No sealed bids were received for the painting at the park, Mrs. Zehr reached out to Forman Construction Services this business recently completed work for the Constantia Fire Department including painting of the building. The quote received is \$9,600 for all materials and labor. An additional quote of \$2,400 for materials and labor for new windows and track system for the office at the bath house. The quote has payments of half down and half upon completion, the Town does not pre-pay for work to be done. When materials are delivered to the jobsite, a voucher can be submitted at that time for items purchased. Labor will be paid when job is completed. Mrs. Zehr will reach out to Mr. Forman to see if he is agreeable to the payment terms. With no sealed bids received as per the legal notice Mr. Colesante made the motion to accept the bid from Forman Construction Services for a total of \$12,000, seconded by Mr. Metzger.

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

Playground - Mrs. Zehr reached out to Mr. Wisinski the gentleman who donated the playground to get another bid for site work and construction, with both the site prep and construction the cost is still in the \$50,000 range. Mrs. Zehr knows it is a lot of money but is still hoping to do the project, with the money that the park is not spending this year running the summer program. The board members are not willing at this time to spend that kind of money on the playground. Mr. Moran suggested Mrs. Zehr contact the Shineman Foundation to determine if the playground could qualify for a grant.

SEWER:

Constantia Sewer Project

- Recent work completed:
 - ✓ WIIA Grant Awarded (\$5,000,000) – December 23, 2019
 - ✓ NYS EFC Hardship Financing (\$20M – interest free) Awarded – June 15, 2020
 - ✓ USDA-RD formally accepted PER/MPR – July 15, 2020
 - ✓ USDA-RD Preliminary Funding Estimate (PFE) Received – August 4, 2020
 - ✓ USDA-RD Finding of No Significant Impact (FONSI) Issued – August 5, 2020
- Current Status:
 - Coordinating with USDA-RD to acquire project Letter of Conditions (LOC).
- Future steps:
 - Issue technical revisions to the PER/MPR per DEC and EFC comments.
 - Finalize Sanitary Survey for potential 2020 WQIP Grant Application submission.
 - Update and submit 2020 WQIP Grant Application (when/if program released).
 - Submit EFC “Missing Documents” by January 31, 2021 (includes Plan of Finance).
 - Engage a Financial Advisor for the project
- Project Funding Status: *See attached for funding scenario breakdown*

• WIIA Grant	[Awarded]	\$5,000,000
• CWSRF Hardship Loan (i=0%)	[Awarded]	\$20,000,000
• USDA-RD Grant	[PFE Issued]	\$3,015,000
• USDA-RD Loan (i=1.125%)	[PFE Issued]	\$11,000,000
• WQIP Grant	(Resubmission Required)	\$4,500,000
- Potential 2020 project development items:
 - Sewer Use Law
 - Execute Project Agreements for Legal Counsel, Bond Counsel, Engineering and Financial Advisor
 - Project aerial imagery

Mr. Clark and Mr. Powers brought with them a spread sheet outlining funding scenarios for the sewer district as follows:

Original Funding Scenario (2019 PER)	Cost
2022 Estimated Total Project Cost	\$39,015,000
WIIA Grant (1)	\$5,000,000
WQIP Grant (2)	\$10,000,000
NYSEFC Hardship Loan (30-year, 0% interest)	\$20,000,000
Annualized Hardship Loan (Levelized Payments)	\$666,667
Annualized Hardship Loan (50% Rule)	\$533,333
Other Grant	\$0
NYSEFC Market Rate Loan (30-year, 3.25%)	\$4,015,000
Annualized Market-Rate Loan (Levelized Payments)	\$211,517

Number of Town Users (EDU'S)	1159.69
Annual Debt Service Cost Per Town EDU	\$642
Annual Grinder Pump Electrical Cost Per Town EDU	\$20
Annual O&M Cost Per Town Occupied EDU	\$104
Annual SLA Cost Per Town Occupied EDU	\$84

Total First Year User Cost **\$850**
First Year Monthly User Cost **~\$71**

Current Funding Scenario (August 2020)	Cost
2022 Estimated Total Project Cost	\$39,015,000
WIIA Grant (1)	\$5,000,000
WQIP Grant (2)	\$0
NYSEFC Hardship Loan (30-year, 0% interest)	\$20,000,000
Annualized Hardship Loan (Levelized Payments)	\$666,667
Annualized Hardship Loan (50% Rule)	\$533,333
USDA-RD Grant	\$3,015,000
USDA-RD Poverty Rate Loan (38-year, 1.125%) (3)	\$11,000,000
Annualized USDA-RD Loan (Levelized Payments)	\$357,345

Number of Town Users (EDU'S)	1159.69
Annual Debt Service Cost Per Town EDU	\$768
Annual Grinder Pump Electrical Cost Per Town EDU	\$20
Annual O&M Cost Per Town Occupied EDU	\$104
Annual SLA Cost Per Town Occupied EDU	\$84

Total First Year User Cost **\$976**
First Year Monthly User Cost **~\$81**

Future Funding Scenario	Cost
2022 Estimated Total Project Cost	\$39,015,000
WIIA Grant (1)	\$5,000,000
WQIP Grant (2)	\$4,500,000
NYSEFC Hardship Loan (30-year, 0% interest)	\$20,000,000
Annualized Hardship Loan (Levelized Payments)	\$666,667
Annualized Hardship Loan (50% Rule)	\$533,333
USDA-RD Grant	\$3,015,000
USDA-RD Poverty Rate Loan (38-year, 1.125%) (3)	\$6,500,000
Annualized USDA-RD Loan (Levelized Payments)	\$211,158

Number of Town Users (EDU'S)	1159.69
Annual Debt Service Cost Per Town EDU	\$642
Annual Grinder Pump Electrical Cost Per Town EDU	\$20
Annual O&M Cost Per Town Occupied EDU	\$104
Annual SLA Cost Per Town Occupied EDU	\$84

Total First Year User Cost **\$850**
First Year Monthly User Cost **~\$71**

(1)Due to NYS financial shortcomings resulting from COVID-19 Pandemic, CWSRF WIIS Grants are currently on hold by NYS. This is anticipated to be temporary however as of today the Town could not close on WIIA Grant funds.

(2)The 2020 WQIP Program has not yet been announced by NYS. Note this grant is only eligible for construction costs and can be applied for throughout project duration. Several projects receive WQIP Funding after project is underway.

(3)USDA-RD PFE has been written so that any future Grant monies awarded up to \$4,500,000 will reduce the RD Loan portion.

There was a lengthy discussion on the above funding information, of note for this spreadsheet the total estimated project cost of \$39,015,000 was kept the same, the Town board members must keep in mind that inflation will cause this number to increase as time goes by.

The project at the present time is above the projected user cost of \$850. When the WQIP grant opens up during the next funding cycle the Town will be lowering their request to \$4,500,000 from \$10,000,000, this is the result of the project receiving the USDA-RD offer. This might put the project in better standing. It is important to realize that the WQIP grant is for construction costs, if the project does not get the grant this year, the project can still move forward and apply throughout the construction process.

Another point to keep in mind is the funding offers are only on the table for 2-3 years. If the time expires, then the district will need to re-apply.

The Town needs to write a letter to accept the USDA-RD offer, by accepting the offer USDA-RD will put together a Preliminary Funding Estimate (PFE). This will trigger the USDA-RD to hold the monies aside for the project. This does not obligate the Town to accept the funding. Mr. Colesante made the motion to accept the offer from the USDA-RD, seconded by Mr. Metzger.

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

WATER:

Mr. Moran is looking for the EFC amortization schedule for the Bernhards Bay Water District. Mr. Clark believes he has seen the draft version, he will look for it and get it to Mr. Moran.

Mr. Clark was asked how much per EDU should be put on the water survey that will be sent out to area residents. Mr. Clark believes Rural Development would look at a range of \$675 - \$810., best to go on the higher side to be safe. Roads that have been targeted will be Auringer Rd, County Route 23 from Knapp Rd to Salt Rd intersection, West Rd to the Town line. Mr. Metzger believes we should add Saunders Dr and County Rt 17 to Marsden Spur.

MINUTES:

Mr. Moran made the motion to accept the minutes of the July 21st town board, August 3rd supervisor and August 11th RV meetings, seconded by Mr. Colesante.

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

VOUCHERS:

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #8 Dated August 18, 2020:

General Fund	218-250	\$14,497.13
Highway Fund	144-164	\$40,596.43
Sewer	9-10	\$ 1,123.75

Seconded by Mr. Metzger.

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

SUPERVISOR:

Mr. Moran made the motion to approve the Supervisor's report dated July 31, 2020, seconded by Mr. Metzger.

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

APPROVAL OF DEPARTMENT REPORTS:

Mr. Metzger made the motion to accept the following reports as received for July, seconded by Mr. Colesante.

- a. Code Enforcement received \$3,077.50
- b. Justice Pelon and Justice Simpson
- c. Town Clerk received \$5,008.50

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

CODE ENFORCEMENT:

Mr. Colesante wants to meet with Mr. Haynes, CEO to help tailor the Code Enforcement Office to the Town's needs. Mr. Mosley told the board that Mr. Haynes was threatened twice in one day. Once by phone which Mr. Haynes shared with Mr. Mosley. All board members agreed that if any employee is threatened the police should be called. Maybe Mr. Haynes should be contacting residents via mail, something to keep in mind when this meeting takes place.

Mr. Mosley also told the board that Mr. Kleis has contacted him in regards to the letter the Town sent about contacting the planning board for site plan review.

The Oswego County COVID Hotline has reached out to Mr. Haynes in regards to "hundreds of complaints" being called in about Buckingham's Market. The complaints are mainly about employees in the deli not wearing masks. Mr. Mosley and Mr. Haynes had a meeting with Mr. Buckingham and Mr. Chapman, hopefully there will be more compliance.

TUG HILL COMMISSION:

Mr. Baxter reported:

- The Tug Hill Commission offices are still operating at a 50% occupancy level , with a schedule with Watertown-based staff where at any given time, half of the staff is in the Watertown office is in the office, and the rest are still working from home. Tug Hill staff are available for meetings with your municipality.
- The Governor’s executive order allowing remote meetings and public hearings (via means such as Zoom) has been extended until September 4. If you have any upcoming meetings where that may be a help to you. I can facilitate a Zoom meeting if you’re interested, with a little advance notice.
- I attended the recent county tourism advisory council meeting, the first since December 2019. The council does not usually meet in January or February, and you all know what happened starting in March.
- The Tug Hill Commission is continuing to work on training sessions for Fall 2020 for planning boards and zoning boards of appeals to assist them with meeting their annual training requirement. The first sessions seem likely for the end of September 2020. Watch the Tug Hill Times for further details as they are developed.
- As in past years, the Tug Hill Commission was able to get the services of a summer intern to assist municipalities with mapping local infrastructure such as water, sewer, culverts, road signs, and so on. The Commission offered this to the town once again in July 2020. With luck, we will be able to offer it again come the summer of 2021, so it never hurts to think in advance about what needs you might want to plan for in the future.
- I updated the town web site this month with additional information pertaining to the North Shore sewer project.

CORRESPONDENCE:

- Minutes received from Planning Board dated 7/28/2020
- Minutes received from Board of Appeals dated 7/22/2020

BOARD INITIATIVES AND COMMENT:

-NYS has updated their retention schedule, the Town is required to approve and adopt this schedule by December 2020. With that in mind:

COUNCILMAN: **Metzger**

Introduced the following and moved its adoption:

RESOLVED, By the Town board of the Town of Constantia that Retention and Disposition Schedule for New York Local Government Records (LGS-1), issued pursuant to Article 57-A of the Arts and Cultural Affairs Law, and containing legal minimum retention periods for local government records, is hereby adopted for use by all officers in legally disposing of valueless records listed therein.

FURTHER RESOLVED, that in accordance with Article 57-A: (a) only those records will be disposed of that are described in Retention and Disposition Schedule for New York Local Government Records (LGS-1), after they have met the minimum retention periods described therein; (b) only those records will be disposed of that do not have sufficient administrative, fiscal, legal, or historical value to merit retention beyond established legal minimum periods.

Seconded by Councilman: **Colesante**

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	Yes
Richard Colesante	Voted	Yes
John Metzger	Voted	Yes
Thomas Moran	Voted	Yes
Frank Tomaino	Voted	Yes

-Mr. Mosley shared a quote for Volunteer Accident Coverage from Eastern Shore Associates for \$300, after discussion the board asked Mr. Mosley to reach back out to our agent to see if our general liability policy would cover volunteers.

-Mrs. Peck as requested at the Supervisor’s meeting received a detailed quote from David Bardoun Land Surveying for work at the Constantia Rural Cemetery. The total quote for work to be done is \$5,150.00. Mr. Metzger made the motion to cover \$2,575. of the estimate contingent on the Cemetery Board covering the remaining \$2,575., seconded by Mr. Moran.

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

- August 18, 2020

TOWN OF CONSTANTIA LOCAL LAW B OF 2020

(“A Local Law to Amend Article 10 of the Town of Constantia Land Development Law to Establish Recreational Camping Vehicles Regulations”)

Councilor Colesante introduced proposed Local Law No. B-2020 regarding the regulation of recreational camping vehicles for the purpose of promoting the health, safety and general welfare of the inhabitants of the Town of Constantia and made the following Resolution, which was seconded by Councilor Metzger:

WHEREAS, proposed Local Law B-2020 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

WHEREAS, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law, requires that as early as possible after submission of a completed

application, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, no other agency has the legal authority or jurisdiction to approve or directly undertake the enactment of a local law 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 (“SEQRA”) with respect to the proposed enactment of said proposed Local Law, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption of said Local Law is an unlisted action for purposes of environmental review under SEQRA; and

WHEREAS, the Town Board has determined that a Short Environmental Assessment Form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE,

BE IT RESOLVED AND DETERMINED, that the Town Board has determined that this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQRA; and it is further

RESOLVED AND DETERMINED, that the Town Board directs the Town Attorney to refer proposed Local Law B-2020 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 B-2020 at the Town Hall located at 14 Frederick Street, Constantia, New York on September 15, 2020 at 7:00 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; and it is further

RESOLVED AND DETERMINED, that notice of said public hearing shall be provided at least ten (10) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Constantia and to any affected municipalities described above.

RESOLVED AND DETERMINED, that the Town Supervisor is authorized to sign the Short Environmental Assessment Form (SEQRA)

RESOLVED AND DETERMINED, that article 1010 paragraphs 11,12 and 13 are hereby deleted as being inconsistent with the new RV Law Section 1010.1

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

Richard Colesante	Councilor	Voted	Yes
John Metzger	Councilor	Voted	Yes
Thomas Moran	Councilor	Voted	Yes
Frank Tomaino	Councilor	Voted	Yes
Ken Mosley	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

ADJOURN:

At 9:52 pm Mr. Tomaino made the motion to adjourn, seconded by Mr. Moran.

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