

TOWN OF CONSTANTIA  
**MINUTES –TOWN BOARD - March 16, 2021**  
7:30 pm Constantia Town Hall

Present: Kenneth Mosley - Supervisor  
Richard Colesante, John Metzger Thomas Moran, Frank Tomaino – Council Members  
Clare Haynes – Town Clerk  
Wayne Woolridge – Highway Superintendent  
Warren Bader - Town Attorney-Via Zoom  
Erin Zehr – Park and Recreation Chair – Via Zoom  
James Peck – Planning Board Chair – Via Zoom  
Dustin Clark– Barton & Logudice – Via Zoom  
Paul Baxter – Tug Hill Commission -Via Zoom

**CALL TO ORDER:**

At 7:30 pm Mr. Mosley called the town board meeting to order with the pledge of allegiance. As per recommended procedures during COVID-19 all persons in attendance were seated 6ft apart.

**SEWER:**

Mr. Clark told the board that as of yet no grants have been announced, grants usually get announced after the New York State budget gets passed. Hopefully they will open up after April with an application deadline of August or September.

Mr. Clark brought up the idea of doing the aerial survey, this survey is has the best results in the spring before the trees give leaf cover. Mr. Moran asked about the surveys that have been done in the past for the water districts, Mr. Clark stated they are too old. The cost for this survey is around \$25,000, after discussion it was decided that because this was not budgeted for it will need to wait.

Ms. Lathen will start work on the sewer closing packets, there are a few missing items listed on the letter received from EFC.

**WATER:**

Second request letter sent on March 10th to residents that did not respond to the original survey.  
At 7:45pm Mr. Clark left the meeting.

**PARK AND RECREATION:**

Mrs. Zehr updated the board that Mr. Woolridge will be the contact person for the installation of the playground. Mrs. Zehr will need to know when work is started as part of the grant the Town received. Mr. Bader did review the contract and had no issues with the exception that the Town is responsible for the purchase of the fall protections. Mr. Woolridge indicated that the last playground used pea stone and the highway department will haul the material. Mr. Metzger asked Mr. Mosely to contract our insurance carrier to verify what type of material needs to be used.

Mrs. Zehr is working with Oswego County Health Department for the rules to open the recreation program. At the current time the can open at 50% capacity but requirements are changing daily.

Mr. Mosley told Mrs. Zehr that he received a letter of interest from Mr. Joe Brill to become part of the Commission. Mrs. Zehr will reach out to Mr. Brill to invite him to a meeting.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the February 16<sup>th</sup> town board and March 1st supervisor meeting, seconded by Mr. Metzger.

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

**VOUCHERS:**

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #3 Dated March 16, 2021:

General Fund	68-104	\$ 17,421.84
Highway Fund	36-53	\$ 22,421.78
North Shore Water District	3	\$352,111.00
Sewer	3-4	\$ 120.00
Bernhards Bay Water	2-4	\$ 88,806.42

Seconded by Mr. Moran.

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

**SUPERVISOR:**

Mr. Moran made the motion to approve the Supervisor’s report dated February 28, 2021, seconded by Mr. Tomaino.

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

Mr. Moran is concerned with the amount of money that is being held in the Northshore Water District account. Mr. Moran would like to discuss this in the near future.

## **HIGHWAY:**

Mr. Woolridge reported:

- Salt has been paid for including enough for the fall of 2021.
- All board members signed the Agreement to Spend Town Highway Funds, along with Mr. Woolridge
- C-7 has been stripped down, sand has been purchased they will start sandblasting
- Cleaning up trees from the storm, will start on hazardous trees next
- Meter pit at the garage has been installed, B&L was out today to inspect as soon as B&L approves it will be ready for OCWA
- Last meeting Mr. Woolridge asked to purchase a sewer jet to clean out culverts since then Mr. Woolridge has spoken to the County about purchasing the sewer jet. The County is now looking to sell the sewer jet and a 72ft tree truck as a package deal for \$40,000. Mr. Woolridge will then sell the Town's 60ft tree truck, he has received a tentative offer for \$24,000. The offer from the County is now in committee, he will hopefully have more information for the April supervisor's meeting.
- Mr. Woolridge would like to rent a mini paver that can do a 5ft path for the park, more discussion at the supervisor's meeting.
- Discussion on offering dumpster for Town residents, it was agreed to offer them the first weekend in May. April 30<sup>th</sup>, May 1<sup>st</sup> and 2<sup>nd</sup>. Mr. Woolridge will speak to BTI and Mr. Mosley will speak to Annette's Lakeside Storage to supply dumpsters.
- Mr. Woolridge has heard that CHIIPs and Pave NY has been funded in the 2021 budget, along with Bridge NY. With that in mind, Mr. Woolridge reached out to B&L to help with the application process especially as it pertains to Bridge NY, this grant money can be used for culverts. Mr. Woolridge will be meeting with an engineer from B&L to review the culverts to get the information together. Mr. Metzger made the motion to authorize Mr. Woolridge to work with B&L to get information together for an application to Bridge NY, seconded by Mr. Colesante.

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

Mr. Metzger made the motion to approve the Highway Superintendent's report, seconded by Mr. Tomaino.

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 January, seconded by Mr. Tomaino.

- a. Code Enforcement received \$797.50
- b. Justice Pelon and Justice Simpson
- c. Town Clerk received \$1,665.50
- d. Tax Collector has collected to date \$4,287,542.16.

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

Mrs. Haynes wanted to let the board know that for the 2022 budget process, the County has informed the Town that they intend to charge \$.20 to create the billing file and an additional \$.20 to print the file. This will cause the bill for the Town to be twice as much as it is now as the only fee we currently paid if for the printing of the bills.

## **TUG HILL COMMISSION:**

Mr. Baxter submitted the following report:

- Unchanged: 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. Actual occupancy may be lower depending on need, as Tug Hill staff operate to minimize spread of COVID-19 during this period of transmission and infection on the upswing with colder weather. Commission staff continue to be 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 through March 28, 2021. If you have any upcoming meetings where that may be a help to you. I can facilitate a Zoom meeting with a little advance notice. Advance notice will also help with figuring out the logistics of notification and how to conduct the meeting via Zoom, either completely or with Zoom as an additional method of attendance and participation.
- North Shore and Salmon Rivers has started to use a contractor to assist me with meeting coverage, especially on the busiest meeting nights. I am still looking for additional people so I have a pool of people to call on.
- The Tug Hill Commission's met yesterday via Zoom. The April meeting will be on Monday, April 19 – and as the Commission tries to rotate its meeting locations through the entire Tug Hill region, the April meeting is scheduled to be held in Central Square, if they are able to schedule an in-person or hybrid meeting for then. Watch the Tug Hill web site and the Tug Hill Times for more information as we get closer to April 19.
- The Tug Hill Commission has several interesting webinars scheduled between now and the end of the month, including on conservation on Tug Hill, a primer on highways and highway issues, "Letters from a Tug Hill Logger." and Dave Eichorn on our changing climate and local weather. More information on all of these, including reservation information, at <https://tughill.org/upcoming-workshops/>. Bookkeeper Nancy Butler provided me with a PDF of the town's annual financial report for 2020, and I have posted it to the town web site

## **CORRESPONDENCE:**

Ms. Petkash the Chair for the planning board has submitted her resignation as of March 15<sup>th</sup>. The board wanted to thank Ms. Petkash for her dedication to the planning board. Mr. James Peck has volunteered for the position.

With that said Mr. Metzger made the motion to accept the resignation of Ms. Petkash and appoint Mr. James Peck as Chairman of the planning board, seconded by Mr. Colesante.

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

Letter received from Mr. Martin Godzwon interested in being a member of the planning board, Mr. Peck will reach out to Mr. Godzwon.

**BOARD INITIATIVES AND COMMENT:**

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

**The town board for the town of Constantia approves the 2020 Justice audits. Justice Pelon’s and Justice Simpson’s audits have been completed by Councilman Metzger and Councilman Moran. It is further instructed that Ms. Butler – Bookkeeper, send copies of both to the New York State Office of Court Administration.**

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>Yes</b>
John Metzger	Voted	<b>Yes</b>
Tom Moran	Voted	<b>Yes</b>
Frank Tomaio	Voted	<b>Yes</b>

Mr. Metzger and Mr. Moran also completed the 2020 audits for Town Clerk and Tax Collection. Mr. Colesante made the motion to accept the audits as submitted, seconded by Mr. Tomaino.

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

Mr. Haynes has received the first application for placing a RV on private land. The applicate has applied for two RV’s to be located on a single parcel. After discussion it was noted to do this the person would need to apply for a campground license and follow the steps as outlined in the Land Development Law. This section of the Land Development Law will need to be reviewed as some of the requirements might need to be updated. A major factor in this decision might be the fact that there will be no exchange of money for the placement of RV’s. More discussion is needed.

Mr. Metzger has been contacted by Eastern Shores, the Town’s insurance carrier. The Town will need to adopt a Cyber Security policy, Mr. Metzger was sent templates to use. This will need to be passed by the board, possible discussion at the April Supervisor’s meeting.

Continued discussion on possible new employee benefit for highway employees with 30+ years’ experience.

**LOCAL LAW A OF 2021:**

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION  
March 16, 2021**

**TOWN OF CONSTANTIA LOCAL LAW NO. A OF 2021**  
 (“A Local Law Imposing a Nine (9) Month Moratorium on Portable Storage Containers  
within the Town of Constantia”)

Councilor Metzger introduced proposed Local Law No. A-2021, titled “A Local Law Imposing a Nine (9) Month Moratorium on Portable Storage Containers within the Town of Constantia,” and made the following motion, which was seconded by Councilor Moran:

**WHEREAS**, proposed Local Law A-2021 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law; and

**WHEREAS**, the Town of Constantia has recently seen an increase in the use of portable storage containers within the Town; and

**WHEREAS**, such proliferation has caused the Town to determine to assess the state of its laws and regulations concerning such uses; and

**WHEREAS**, this moratorium will enable the Town of Constantia to undertake a review to comprehensively address the issues involved with portable storage containers within the Town of Constantia; and

**WHEREAS**, the Town recognizes the potential benefits and desirability of portable storage containers, but has determined that time and research are necessary to determine how to properly regulate such containers to preserve and protect the health, safety and welfare of its residents; and

**WHEREAS**, the Town Board has deemed this moratorium urgent and immediately necessary in order to preserve the 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 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 Local Law; and

**WHEREAS**, the adoption of said Local Law is a Type II action for purposes of environmental review under SEQRA thus concluding the environmental review process.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Town Board shall conduct a public hearing as to the enactment of proposed Local

Law No. A-2021 at the Town Hall located at 14 Frederick Street, Constantia, New York on April 20, 2021 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; and it is further

**RESOLVED AND DETERMINED** that pending action of this Local Law, the Town of Constantia shall prohibit the placement, construction or erection of portable storage containers within the Town of Constantia and/or the processing or further processing of such applications.

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

<u>Richard Colesante</u>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<u>John Metzger</u>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<u>Tom Moran</u>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<u>Frank Tomaino</u>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<u>Ken Mosley</u>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

**DATED: March 16, 2021**

**ADJOURN:**

At 9:18 pm Mr. Tomaino made the motion to adjourn, seconded by Mr. Colesante.

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