

TOWN OF CONSTANTIA
MINUTES –TOWN BOARD – July 20, 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
 Erin Zehr – Park and Recreation Chair
 Dustin Clark and David Powers– Barton & Logudice
 Paul Baxter – Tug Hill Commission

CALL TO ORDER:

At 7:30 pm Mr. Mosley called the town board meeting to order.

PUBLIC COMMENT:

Mrs. Kline asked about the weeds at the intersection of Redfield St and State Route 49 who is responsible to mow? Mr. Woolridge answered the State is responsible, he has already reached out to them with his concerns. The Town did rent a long arm mower, if the operator gets to the intersections and they are not done, the Town will take care of the problem.

SEWER:

Constantia Sewer Project

- Current Status:
 - EFC has approved extension request and has formally extended WIIA and Hardship funding (Totaling \$25M) to December 31, 2021.
 - B&L and Fiscal Advisors must submit required documentation for Finance Agreement no later than October 1, 2021
 - WQIP and CDBG Funding Applications are due July 30th
- Future steps:
 - Conference call with DEC to discuss WQIP application
 - Prepare DEC WQIP Grant Application for 2021 CFA submission
 - G&G to submit CDBG Grant Application for 2021 CFA submission
 - Submit EFC supporting documents for Finance Agreement
- Interest Survey Response Data:

• Total Number of Surveys Issued:	1,082	• Percent Favorability:	68%
• Total Number of Surveys Received:	489	• Response Rate:	43%
• Votes in Favor:	316		
• Votes against:	150		
• Return to Sender	23		

○ Project Funding Status:

Funding Source	Cost	Status
Maximum WIIA Grant	\$5,000,000	[Secured]
USDA Rural Development Grant	\$3,015,000	[Secured]
NYSEFC Hardship Loan (30-year Term, 0.0% interest)	\$20,000,000	[Secured]
USDA RD Low Interest Loan (38-year, 1.125% interest)	\$6,465,000	[Secured]
<i>DEC WQIP Grant</i>	<i>\$4,535,000</i>	<i>[Requesting]</i>
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Number of Town Users (EDU's)	1159.69	
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Annual Debt Service Cost Per Town EDU	\$640.99	
Annual Grinder Pump Electrical Cost Per Town Occupied EDU	\$20	
Annual O&M Cost Per Town Occupied EDU	\$104	
Annual SLA Cost Per Town Occupied EDU	\$84.01	
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Total Estimated Annual User Cost	\$849	

Mr. Clark wanted to assure the board and residents that Barton & Logudice will be looking at and applying for every grant that this project qualifies for to continue to lower the EDU cost. The award for the DEC WQIP Grant will be announced end of November early December. If the District is successful with the DEC grant it will bring the EDU charge back to \$849. B&L will be meeting with DEC to show them the grant package to get any feedback before final submission. As noted above G&G will submit the CDBG Grant Application for the 2021 CFA submission, any additional monies the District can secure will also lower the EDU charge.

Before Mr. Bader read this resolution into the minutes, Mr. Clark wanted to point out that the EDU figures are a bit different than what the Town usually discusses. The numbers in the resolution do not include short term assets or the additional cost for power to run the grinder pump.

With the public hearing closed with no additional comments, Mr. Bader read the following resolutions:

At a Regular Meeting of the Town of Constantia Town Board, Oswego County, New York, held at the Town Hall, located at 14 Frederick Street, Constantia, New York on July 20, 2021 at 7:30 p.m.

The meeting was called to order by the Supervisor, and upon roll being called, there were:

PRESENT:	Ken Mosley	Supervisor
	Richard Colesante	Councilor
	John Metzger	Councilor
	Tom Moran	Councilor
	Frank Tomaino	Councilor

RESOLUTION AND ORDER AUTHORIZING AN INCREASE TO THE ESTIMATED UNIT COST (COST TO THE TYPICAL PROPERTY, COST TO THE TYPICAL ONE-FAMILY HOME AND COST TO THE TYPICAL TWO-FAMILY HOME) FOR THE TOWN OF CONSTANTIA SEWER DISTRICT NO. 1 PURSUANT TO ARTICLE 12-A OF THE TOWN LAW
(“Constantia Bernhards Bay Sewer District”)

Supervisor **Mosley** moved and Councilor **Metzger** seconded the following resolution:

WHEREAS, a Resolution and Order of the Town of Constantia Town Board to Approve the Formation of the Town of Constantia Sewer District No. 1 Pursuant to Article 12-A of the Town Law was duly adopted on June 4, 2019; and

WHEREAS, said Resolution and Order duly determined:

1. That the Public Hearing Order and Resolution was published and posted as required by law, and is otherwise sufficient
2. That all property and property owners within the proposed Sewer District are benefitted thereby;
3. That all property and property owners benefitted are included within the limits of the proposed Sewer District;
4. That it is in the public interest to establish said Sewer District; and

WHEREAS, the Resolution further determined that the establishment of the proposed Improvements, as set forth in said Map, Plan and Report, be approved as set forth below; that the sewer system herein above referred to shall be constructed at a cost not to exceed a total of Thirty Nine Million Fifteen Thousand and 00/100 (\$39,015,000.00) Dollars, which cost will be financed as more particularly described in the financing plan on file with the Town of Constantia Town Clerk and further described in Schedule “B” attached hereto; and that said Improvements shall be designated and known as the “Town of Constantia Sewer District No. 1 (Constantia-Bernhard’s Bay Sewer District)” in the Town of Constantia situated wholly outside of any incorporated village or city, and shall be bounded and described as set forth in Schedule “A” attached hereto and made a part hereof; and

WHEREAS, the Resolution further determined that the estimated cost of the Sewer District to the “typical property” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

WHEREAS, the Resolution further determined that the estimated cost of the Sewer District to the “typical one-family home” is Seven Hundred Sixty-Six and 00/100 (\$766.00) Dollars; and

WHEREAS, the Resolution further determined that the estimated cost of the Sewer District to a “two-family home” is One Thousand Five Hundred Thirty-Two and 00/100 (\$1,532.00) Dollars; and

WHEREAS, the Resolution further determined that there are no estimated hook-up costs because the project was designed as a “turn-key” project; and

WHEREAS, the Resolution further determined that the cost and expenses of operation and maintenance of said Sewer District, shall be a function of charges to the benefitted property owners and shall not be a general charge against the Town; and

WHEREAS, the Resolution was adopted subject to permissive referendum in accordance with Article 12-A of the Town Law; and

WHEREAS, a Notice of Adoption of said Resolution was duly published on June 6, 2019 and posted on June 4, 2019; and

WHEREAS, the thirty (30) day period of time elapsed for the submission and filing of a petition seeking to hold a referendum on the question of the formation of the Town of Constantia Sewer District No. 1; and

WHEREAS, no such petition for a referendum was submitted and filed with the Town Clerk of the Town of Constantia; and

WHEREAS, the Town Clerk executed an Affidavit of No Referendum as no petitions were filed; and

WHEREAS, on July 16, 2019 the Town Board adopted a Final Resolution and Order establishing the Town of Constantia Sewer District No. 1 in accordance with Article 12-A of the Town Law in accordance with the provisions set forth above; and

WHEREAS, following the establishment of the Sewer District the Town of Constantia has undertaken additional steps to move the project forward including securing necessary grants and financing through the New York State Environmental Facilities Corporation (“NYSEFC”), the United States Department of Agriculture – Rural Development (“USDA-RD”); and

WHEREAS, the Town of Constantia continues to seek additional public sources of funding and financing for the project including from the New York State Department of Environmental Conservation (“DEC”); and

WHEREAS, in order to further advance the project it is necessary for the Town to consider an increase in the estimated unit cost given the amount of financing and grants currently secured for the project and the additional funding needed to proceed with construction of the Sewer District; and

WHEREAS, following the increase in the unit cost the estimated cost of the Sewer District to the “typical property” is Eight Hundred Ninety-Two and 00/100 (\$892.00) Dollars; and

WHEREAS, following the increase in the unit cost the estimated cost of the Sewer District to the “typical one-family home” is Eight Hundred Ninety-Two and 00/100 (\$892.00) Dollars; and

WHEREAS, following the increase in the unit cost the estimated cost of the Sewer District to a “two-family home” is One Thousand Seven Hundred Eighty-Four and 00/100 (\$1,784.00) Dollars; and

WHEREAS, the maximum amount proposed to be expended for the construction of the Sewer District as detailed above will remain unchanged and shall be Thirty Nine Million Fifteen Thousand and 00/100 (\$39,015,000.00) Dollars; and

WHEREAS, a Public Hearing Order and Resolution was adopted by the Town Board on June 15, 2021 for the hearing of all persons interested in the matter of increasing the unit cost at a meeting of the Town Board to be held at the Town of Constantia Town Hall, 14 Frederick Street, Constantia, New York on July 20, 2021 at 7:00 p.m. to consider the increase in the unit costs described above, and to hear all persons interest in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and

WHEREAS, the public hearing was duly held on July 20, 2021 at which all persons interested in this matter were heard; and

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the unit cost for the Town of Constantia Constantia-Bernhard’s Bay Sewer District is hereby increased such that the cost to the typical property is Eight Hundred Ninety-Two and 00/100 (\$892.00) Dollars, the cost to the typical one-family home is Eight Hundred Ninety-Two and 00/100 (\$892.00) Dollars, and the cost to the typical two-family home is One Thousand Seven Hundred Eighty-Four and 00/100 (\$1,784.00) Dollars; and be it further

RESOLVED AND ORDERED that the maximum amount proposed to be expended for the construction of the Sewer District as detailed above will remain unchanged and shall be Thirty-Nine Million Fifteen Thousand and 00/100 (\$39,015,000.00) Dollars; and be it further

RESOLVED AND ORDERED that the Town Clerk shall file a certified copy of this order with applicable state and local agencies as applicable.

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

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

The foregoing resolution was thereupon declared duly adopted.

*Schedule A and Schedule B can be viewed at the Town Clerks Office.

The following four resolutions are requirements for the CDBG Grant.

COUNCILMAN: Metzger

Introduced the following and moved its adoption:

WHEREAS, the Board Members of the Town of Constantia have considered the comments presented at the public hearing held on July 20, 2021 pertaining to the availability of the 2021 New York State Community Development Block Grant (CDBG) Public Infrastructure Program funds;

NOW, THEREFORE, BE IT RESOLVED, that the Board Members of the Town of Constantia hereby authorizes the preparation and filing of a 2021 Consolidated Funding Application to the New York State Homes and Community Renewal for funding under the Community Development Block Grant Public Infrastructure Program to secure funding for the design and construction of the Northshore Sewer System and;

BE IT FUTHER RESOLVED, that the Town Supervisor, Kenneth Mosley, is hereby authorized and directed to execute the application and to sign all necessary documents relating to the submission on behalf of the Town Board.

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
Tom Moran	Voted	Yes
Frank Tomaino	Voted	Yes

The Resolution was declared duly adopted.

COUNCILMAN: Tomaino

Introduced the following and moved its adoption:

The Town of Constantia accepts the Fair Housing Policy prohibiting discrimination in housing.

Seconded by Councilman: **Moran**

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

Tom Moran	Voted	Yes
Frank Tomaino	Voted	Yes

So, therefore, be it so resolved that the Town of Constantia accepts the Fair Housing Policy prohibiting discrimination in housing.

COUNCILMAN: **Metzger**

Introduced the following and moved its adoption:

The Town of Constantia accepts the Civil Rights, Equal Employment Opportunity, and Section 3 Policy.

Seconded by Councilman: **Moran**

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
Tom Moran	Voted	Yes
Frank Tomaino	Voted	Yes

So, therefore, be it so resolved that the Town of Constantia accepts the Civil Rights, Equal Employment Opportunity, and Section 3 Policy.

COUNCILMAN: **Colesante**

Introduced the following and moved its adoption:

The Town of Constantia appoints the Town Supervisor as the Fair Housing Policy Officer.

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

So, therefore, be it so resolved that the Town of Constantia appoints a Fair Housing Officer to oversee the Fair Housing Policy prohibiting discrimination in housing.

WATER:

Mr. Colesante asked where the Town stands on a possible extension district. Mrs. Haynes has received two calls from residents up to the intersection of County Route 23 and Grannis Rd. After discussion it was decided that Mr. Clark will look at the district in areas that have a neutral effect in the proposed water district. Right now there is substantial interest on Auringer Rd, County Route 23 from Knapp Rd to Salt Rd and possibility County Route 17.

Mr. Clark indicated that by the end of summer would be a good time to have defined locations to be ready to apply for next year's grant cycle. Mr. Mosley asked if there could be two projects at once, yes as long as they are not competing projects.

PARK AND RECREATION:

Mrs. Zehr told the board that the rec program has 175 children enrolled, on a nice day there is 120 children. There was a need to hire more counselors to keep the required ratio. Swimming lessons have started, it was slow to begin because the water was not clear and the kids did not want to go in. The water has since cleaned up. Mr. Moran asked if there is any problems with the water, no they test the water daily and nothing has showed in the testing. Mrs. Zehr told the board that Mr. Forman will be back at the park to look at the floor, Mr. Forman did the painting earlier this year and it has started to peel. Mrs. Zehr will update the board when she has more information.

MINUTES:

Mr. Moran made the motion to accept the minutes of the June 7th supervisor meeting and June 15th town board meeting, seconded by Mr. Metzger.

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 #7 Dated July 20, 2021:

General Fund	219-252	\$ 24,574.34
Highway Fund	113-133	\$ 44,609.53
Bernhards Bay Water District	6	\$ 498.00
Sewer	7-9	\$ 4,776.00

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 June 30, 2021, seconded by Mr. Colesante.

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

HIGHWAY:

Mr. Woolridge reported:

- The guys are out as we speak cleaning up from the recent storm. The storms have washed out some portions of our seasonal roads. The north end of Center St, the last 1.5 miles especially the hills. The Town purchased 36 loads of grindings, they will help when applied.
- Beavers are a continual problem, hopefully all the new rainfall will make them happy.
- Long arm mower has been rented until the end of August, CHIPS monies can be used for this expense.
- Paving Johnson Rd and LeVeille Dr – Our paver is being repaired, wheel bearing, motor seals and gears were not proper. The Town is renting a paver for \$9,000 Mr. Woolridge wanted to get started he put off paving as long as he could. Mr. Tomaino asked if CHIPS will pay for the rental, Mr. Woolridge answered it will.

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

The following budget modification is to increase the 2021 Budget to reflect the additional monies offered by CHIPS, PAVE NY and EWR programs administered by the State of New York.

The modification is as follows:

Expense:

DB5112.2 Road Improvement CO - \$400,000 increase to: \$542,806

Revenue:

DB3501 CHIPS \$140,000 - increase to: \$374,014.57

Seconded by Supervisor: **Mosley**

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	Abstain
John Metzger	Voted	Yes
Tom Moran	Voted	Yes
Frank Tomaino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

APPROVAL OF DEPARTMENT REPORTS:

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

- a. Code Enforcement - \$2,107.80
- b. Justice Pelon and Justice Simpson
- c. Town Clerk - \$3,746.80
- d. Dog Control

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

TUG HILL COMMISSION:

Mr. Baxter submitted the following report:

- The state COVID-19 state of emergency declared March 7, 2020 expired after Thursday, June 24, 2021, and executive orders associated with that declaration have now expired.
- The Tug Hill Commission was recently a partner in a multicounty study on economic impacts of snowmobiling in the Tug Hill region. The study was designed to consider the economic impacts, in terms of jobs, wages, and sales, that would not occur but for the snowmobile activity. I have a handout for you highlighting some of the key findings. The full 27 page report can be found on the Tug Hill web site at <https://tughill.org/about/press-room/>.
- The Tug Hill Commission has announced the date of its Fall 2021 annual dinner meeting. It is planned for Thursday, October 14, 2021.
- The New York State Comptroller has announced the tax levy limit for calendar year 2022. The levy limit will be 2.0% for the third time in the past four years.
- As required by state law, I have posted the final 2021 tax roll to the town web site.
- The New York State Association of Towns and the American Farmland Trust is conducting a survey on smart solar siting on farmlands. To participate, go to <https://www.surveymonkey.com/r/C9J8B8D> before Friday, July 23.

CORRESPONDENCE:

- Letter received from Claudia Tenney
- Letter received from Ronald Sakonyi – given to Attorney Bader

PUBLIC COMMENT:

Mr. Woodward from 1402 County Route 17 was in to complain about his neighbor’s property, this property has been an issue for many years. The property is owned by Mr. Gordon Hall who has passed away, Mr. Bader will call to see if any paperwork has been filed in Surrogate Court. The owner of the property is responsible for cleanup.

ADJOURN:

At 8:32 pm Mr. Tomaino made the motion to adjourn, seconded by Mr. Colesante.

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