

TOWN OF CONSTANTIA  
**MINUTES –TOWN BOARD – January 18, 2022**  
7:30 pm Constantia Town Hall

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

Absent: Wayne Woolridge – Highway Superintendent

**CALL TO ORDER:**

At 7:30 pm Mr. Tomaino called the town board meeting to order with the pledge of allegiance.

**PUBLIC COMMENT:**

None

**WASTEWATER/WATER:**

Mr. Tomaino spoke to Mr. Clark today, there is nothing new to report on wastewater, Mr. Clark and Mr. Powers will be coming to the February 7<sup>th</sup> supervisor meeting.

Mr. Bader has reviewed the Agreement from B&L: Public Water System Expansion dated July 21, 2020. Mr. Bader has no issues with the Agreement but wanted to point out that the additional steps that will be required if the board decides to go approve the extension would have a budgetary estimate of \$20,000 plus income survey expenses and legal expenses. Mr. Colesante added that once this Map, Plan and Report is finished the Board might not approve the extension. A motion was approved at the November 2021 meeting to sign the agreement after review and approval from Mr. Bader, all agreed to have Mr. Tomaino sign the document.

**PARK AND RECREATION:**

Mrs. Zehr reported:

- Holiday contest was a success, every year seems to have more exposure on FaceBook
- Commission is working on new initiatives:
  - Fitness Classes
  - Youth Bureau
- Mr. Sundet, Supervisor for the Town of West Monroe came to the last Commission meeting. As the board members know the Town of West Monroe has lost the use of their park. Mr. Sundet is exploring the idea of paying for some of the children in West Monroe to attend the Constantia summer park and recreation program. The park itself has a capacity limit set by the Heath Department for 300 with a ratio of children to counselors 12:1. Mr. Colesante believes that maybe give West Monroe a number of kids that would be allowed maybe 75 then figure out the additional costs associated. Mr. Metzger does not want to turn away any Constantia children. Last year there was about 200 children signed up for the program, of course not all would come every day. Mrs. Zehr was asked how many out of Town children attended in 2021, Mrs. Zehr will find out that number. More information is needed before a final decision can be made.

**MINUTES:**

Mr. Chapman made the motion to accept the minutes of the December 21<sup>st</sup> town board meeting and the January 4<sup>th</sup> organizational meeting, seconded by Mr. Moran.

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

**VOUCHERS:**

Mr. Metzger made the motion to accept the following vouchers as listed on Abstract #1 Dated January 18, 2022:

General	1-32	\$ 14,134.19
Highway	1-15	\$ 24,375.03
Sewer	1-2	\$ 537.00
Bernhards Bay Water	1	\$ 2,777.03
Northshore Water	1	\$ 6,480.95

Seconded by Mr. Chapman.

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

**SUPERVISOR:**

Mr. Moran made the following motion:

Referring to general fund budget transfer sheet #4 for December 31, 2021 the following accounts are over budget:

A1420.4 Attorney CE	\$ 577.50
A3120.4 Court Security CE	\$ 40.00
A6410.4 Publicity	\$2,225.50
A9030.82 Medicare CE	<u>\$ 407.85</u>
Total Over Budget	\$3,250.85

I therefore make a motion to transfer \$3,250.85 from contingency account A1990.4 to replenish the over budget accounts, leaving \$79,985.75 in contingency.

Continuing my motion to include highway budget transfer sheet #3 for December 31, 2021 we are superseding previous highway fund budget transfers #1 and #2 approved at November and December 2021 town board meetings. In reality billings continued thru December in order to receive the promised CHIPs reimbursement.

The following accounts were over budget:

DB5112.2 Road Improvement Cap	\$10,418.36
DB5130.2 Machinery Eq	\$58,465.00
DB5130.4 Machinery CE	\$ 2,088.30
DB9010.8 Retirement	<u>\$ 2,691.20</u>
Total Over Budget	\$73,662.89

Ms. Butler, Bookkeeper now proposes we address the total over budget deficiency. Therefor I make a motion to cancel previous highway budget transfer #1 and #2, and instead utilize the 2021 highway unreserved fund balance of \$348,786.00 to replenish the total over budget deficiency of \$73,662.89 thereby leaving \$275,123.11 highway unreserved fund balance carrying over into 2022. This complies with budget transfer sheet #3.

Seconded by Mr. Metzger.

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

Mr. Moran made the motion to approve the supervisor's report dated December 31, 2021, seconded by Mr. Metzger.

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

#### **APPROVAL OF DEPARTMENT REPORTS:**

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

- a. Code Enforcement - \$1,433.00
- b. Justice Pelon and Justice Simpson
- c. Town Clerk - \$2,482.00
- d. Tax Collector – Warrant received \$5,228,142.84 to be collected. To date \$1,339,392.08 has been received.
- e. Dog Control

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

#### **CODE ENFORCEMENT:**

Mr. Tomaino has spoken to two candidates for the second code officer position that the Town is looking to fill. This position will be to deal with Town ordinances not necessarily building permits. As requested Mr. Tomaino set the interviews for February 7<sup>th</sup> one at 9am the second will follow at 9:30am. B&L will be here at 10am for the normal supervisor meeting.

#### **TUG HILL COMMISSION:**

Mr. Baxter reported:

- The Tug Hill Commission has produced a new version of its regional map and fact sheet, and I have a copy of that map for you, customized for Constantia
- The flyer has gone out for the 2022 Tug Hill Local Government Conference, scheduled for Tuesday, April 19, 2022 at Turning Stone Casino, and I have an extra copy for you – please make additional copies as needed.
- Planning for the next North Shore Council of Governments meeting is in progress – watch for an e-mail with details in the near future. Also note that the annual Tug Hill Commission – COG Chairmen meeting has been scheduled for Monday, January 31, so if you have any thoughts, concerns, or questions you would like brought to that meeting, please let your COG representative know. In Constantia's case, that would be Rip Colesante.
- The Tug Hill Commission has established its meeting schedule for 2022, and the Commission's meeting in Oswego County is scheduled for Monday, March 21, 2022 at 10:00 a.m. in Cleveland.
- At the December Constantia planning board meeting, (then) supervisor-elect Frank Tomaino let me know that the town had decided to go in a different direction for hosting and maintenance of the town web site. I would like to thank the town for the opportunity to be of service in that respect for nearly two decades. I wish the town well with your new arrangement, and stand ready to assist in any way I can for a smooth transition.

The timetable of the change has not been shared with me, and so I am continuing to support the current web site until I am notified that is no longer needed. I have added a page for 2022 minutes to the web page. I wanted to do that so that the web site continues to stay current while it exists in its current form. In addition, since November 8, 2021, the Open Meetings Law was amended to require agencies that maintain a website and use a high-speed internet connection to post meeting minutes on its website within two weeks of the date of the meeting, or within one week of an executive session. I added the 2022 minutes web page so you would have the place to meet that obligation.

There are a couple of issues related to the transition that I would like to mention for your consideration. First, since your current domain name ([www.townofconstantia-ny.us](http://www.townofconstantia-ny.us)) is well-established, I'm guessing you may wish to continue using it with the new web site rather than establish a new domain name and web identity. This would mean a transfer for domain name ownership. If you could let me know when this transfer would be needed, I'd appreciate it, or if you plan on discontinuing the domain name, I'd appreciate hearing that as well so that the North Shore Council of Governments does not pay for its renewal. If you do plan on continuing its use, I'd suggest that you might want assurances that the town continues to own the domain name, even if it is transferred to the new web host.

Second, one of the points that Mr. Tomaino mentioned to me was support of secure e-mail addresses. In the interest of a smooth transition, I should mention that I am currently providing that service, so the new service provider should be aware that the e-mail address [planning@townofconstantia-ny.us](mailto:planning@townofconstantia-ny.us) is currently in use, and they will need to make e-mail connection details known to the planning board chairman along with information on the timing of the e-mail hosting change.

- The Governor has signed legislation extending the municipality's ability to conduct meetings via Zoom for the duration of the current health emergency, should you find that a useful option in future days.

**CORRESPONDENCE:**

Homes and Community Renewal (CDBG Grant) – No funding received

**PLANNING BOARD:**

December 28, 2021 minutes received

Mr. Tomaino received a letter of interest from Amy Connolly to fill the vacant seat of secretary for both the planning board and board of appeals. Mr. Colesante made the motion to appoint Ms. Connolly as secretary for both the planning and board of appeals, seconded by Mr. Chapman.

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

**BOARD OF APPEALS:**

Minutes from January 6, 2022 received

**BOARD INITIATIVES AND COMMENT:**

At the organizational meeting there was an error on the highway employee salary spreadsheet that was approved.

Mr. Metzger approved the following highway employee salaries for 2022:

Highway Fund (100)

<u>Employee Title</u>	<u># of Employees</u>	<u>Wage</u>
Machine Equipment Operator	4	\$25.25 Hour
Machine Equipment Operator	1	\$24.50 Hour
Machine Equipment Operator	1	\$19.00 Hour
Seasonal MEO	2	\$19.00 Hour
Seasonal Labor	1	\$15.00 Hour
Deputy Hwy Superintendent/MEO	1	\$26.60 Hour

Seconded by Mr. Colesante.

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

Mr. Wheeler, Assessor has asked the board to approve the following resolution for 2022, after discussion:

**COUNCILMAN: Colesante**

Introduced the following and moved its adoption:

**WHEREAS**, on November 26, 2021, Governor Kathy Hochul issued Executive Order No. 11, declaring a State disaster emergency for the entire State of New York due to the COVID-19 pandemic; and

**WHEREAS**, this State disaster emergency has resulted in limited hours in municipal offices in the Town of Constantia and rendered senior citizens and individuals with disabilities residing in Constantia homebound. These factors combined have made it difficult, if not impossible, for many in these populations to file their real property tax exemption applications in person and many, further, lack the ability to file such applications online; and

**WHEREAS**, in recognition of the above problems caused by the pandemic, Governor Hochul issued Executive Order No. 11.1 on December 26, 2021, thereby extending Executive Order No. 11. This extension of the Governor's Executive Order modifies subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law, the effect of which permits the governing body of an assessing unit (i.e., the Town Board of the Town of Constantia to adopt a Resolution directing the Assessor to grant exemptions on the 2022 assessment roll to all property owners who received such exemptions on the 2021 assessment roll (i.e., senior citizens and individuals with disabilities with limited income), thereby dispensing with the need for such persons to file renewal applications to request such exemptions, and further dispensing with the requirement that assessors mail renewal applications to such persons; and

**WHEREAS**, Executive Order 11.1 further allows the governing body of said assessing unit, in any such Resolution, at its option, to include procedures by which its Town Assessor may require a renewal application to be filed if he has reason to believe that an owner who qualified for the exemption on the 2021 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner or died; and

**WHEREAS**, pursuant to said Executive Order, the Town Board of the Town of Constantia wishes to adopt such Resolution directing the Town Assessor of the Town of Constantia to grant exemptions on the 2022 assessment roll to all eligible senior citizens and individuals with disabilities with limited income, and granting the Town Assessor of the Town of Constantia the authority to require renewal applications for due cause, as discussed above, utilizing procedures outlined below;

**NOW THEREFORE, BE IT RESOLVED**, pursuant to the authority granted by Executive Order No. 11.1, issued by the Governor of the State of New York, that the Town Board of the Town of Constantia hereby directs the Town Assessor of the Town of Constantia to:

1. Grant exemptions on the 2022 assessment roll to all individuals who received the senior exemption on the 2021 assessment roll and all individuals who received the exemption on the 2021 assessment roll because they were recognized as a person with disabilities and limited income, thereby dispensing

with the need for any such individuals to file renewal applications for such exemptions, except that;

2. The Town Assessor may, in his sole discretion, require a renewal application to be timely filed with his office if he has reason to believe that any such individual, who qualified for the aforementioned exemption on the 2021 assessment roll, may have since changed their primary residence, added another owner to the deed for the relevant property, transferred such property to a new owner or died. If the Town Assessor requires such renewal application be filed, he shall notify the owner of the subject property of such requirement by regular mail, with such notice shall containing instructions on how to file the renewal application. Said renewal application may be returned by mail or by making an appointment to drop same off at the Town Assessor’s office, 14 Frederick Street, Constantia, NY 13044.

Seconded by Councilman: **Chapman**

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

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

The foregoing resolution was thereupon declared duly adopted.

**EXECUTIVE SESSION:**

At 8:30pm Mr. Colesante made the motion to go into executive session to discuss salaries, seconded by Mr. Chapman.

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

At 8:41pm with no decisions made, Mr. Chapman made the motion to reopen the town board meeting, seconded by Mr. Metzger.

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

Mr. Tomaino would like to have a few extra meetings to deal with a few issues that are still outstanding. The supervisor meeting was being used but the new Sewer Law has taken over the meeting. The items outstanding are, short term rentals, container law, employee handbook and retirement. Mr. Tomaino told the board members that at the February 7<sup>th</sup> supervisor meeting they will be discussing possible dates for additional meetings.

**ADJOURN:**

At 8:50 pm Mr. Chapman made the motion to adjourn, seconded by Mr. Metzger.

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