

TOWN OF CONSTANTIA
MINUTES –TOWN BOARD – April 19, 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
Wayne Woolridge – Highway Superintendent
Warren Bader - Town Attorney
Patrick Dolan, William Hamacher – Code Enforcement
David Powers – Barton & Loguidice
Erin Zehr – Park and Recreation Commission
Roy Reehil – County Legislator
Paul Baxter – Tug Hill Commission

CALL TO ORDER:

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

WASTEWATER/WATER:

A. WWTP Scope:

- Recent Work Completed
 - ✓ NY-2A SPDES Permit Renewal Application submitted on April 13, 2022.
 - ✓ Concept site layout plans prepared for review with Town and Village.
 - ✓ Boring/geotechnical proposals received from subconsultants.
- Current Status:
 - Meeting with Village WWTP team to review concept plans scheduled for April 21, 2022 @ 1pm.
 - Boring/geotechnical work will be performed throughout next month.
- Future steps:
 - Address DEC comments regarding NY-2A application when issued.
 - Review preliminary design 25% completion review set with Town and Village.

B. Grinder Pump Scope:

- Recent Work Completed
 - ✓ Meet and greet meeting held with Town and Village on March 16, 2022.
 - ✓ Revised FAQ, website information, and home inspection letters based on Town feedback.
- Current Status:
 - Updating parcel data and mailing list for home inspection letters.
 - Prepared an intro letter to be sent to all residents in advance of the home inspection letters.
- Future steps:
 - Send intro letter to all residents tentatively by April 22, 2022.
 - Send first round of home inspection letters to first 100 residents by May 6, 2022.

C. Force main and Pump Station Scope:

- Recent Work Completed
 - ✓ Identified potential pump station locations (Taft Bay Park and site adjacent to Town office).
 - ✓ Phase 1A archaeological survey completed and reviewed by SHPO April 5, 2022.
- Current Status:
 - Progressing preliminary force main layout and pump station sizing.
 - Developing Phase 1B Cultural Resource work plan
- Future steps:
 - Subconsultant to conduct Phase 1B archaeological survey throughout proposed system.

D. Funding and Other Items:

- Recent Work Completed
 - ✓ Submitted State and Tribal Assistance Grant (STAG) for up to \$10M.
- Current Status:
 - Coordinating visit to Environment One grinder pump manufacturing facility for Town.
 - Review of DEC Model Sewer Use Law is ongoing.
- Future steps:
 - Potential Town standardization resolution on E-One Grinder pumps.

The closing for the \$31M from EFC is scheduled for May 5th, Supervisor Tomaino and Mr. Bader will be at the Town Hall on Wednesday to sign the necessary documents. With that in mind, Mr. Metzger made the motion to authorize Supervisor Tomaino to sign all necessary documents for the closing, seconded by Mr. Colesante.

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

COUNTY LEGISLATOR:

Mr. Reehil was in to update the board on what is happening with the County:

-Oswego County will be mirroring what Onondaga County will be doing with their gas and diesel tax. There will be no County tax starting June 1st to November 30th on gas and diesel that exceeds \$3 per gallon. This will not include heating fuels. Mr. Metzger asked if Mr. Reehil knows of the potential impact of waiving the tax, Mr. Reehil is unsure.

PARKS AND RECREATION:

Mrs. Zehr reported:

- Gearing up to start hiring for the summer program, letters are going out to see who is coming back from last year.
- Still unsure if West Monroe will be sending kids to the program, Mr. Sundet still needed approval from his board.
- Will order new signs for the park “No Dogs Allowed”
- Two Boy Scouts are working on Eagle projects,
 - i. One will be installing a handicap swing at Taft Bay
 - ii. The second will be replacing the sign on Hatchery Rd for Scriba Park

Mr. Tomaino has been contacted about placement of vending machines at the Park, Mrs. Zehr believes vandalism might be an issues. Mrs. Zehr will discuss with the commission, but they might not accept the offer at this time.

MINUTES:

Mr. Moran made the motion to accept the minutes of the March 15th town board meeting and the April 4th supervisor meeting, seconded by Mr. Chapman.

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

VOUCHERS:

Mr. Chapman made the motion to accept the following vouchers as listed on Abstract #4 Dated April 19, 2022:

General	110-146	\$39,407.35
Highway	47-73	\$63,218.49
Sewer	6-11	\$ 9,291.25

Seconded by Mr. Moran.

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

SUPERVISOR:

Mr. Moran noted that both the lighting district accounts have a zero balance, the Town can now move forward with using the general fund to pay future bills. Mr. Moran made the motion to approve the supervisor’s report dated March 31, 2022, seconded by Mr. Chapman.

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

HIGHWAY:

Mr. Woolridge reported:

- Three trucks have not been changed over yet, they were in use with the recent snow storm, hope to get them changed over this week.
- Ordered two of the three culverts that will be replaced this summer, Frederick St, upper end of Salt Rd and north end of Holly Hole Rd are the culverts that are going to be replaced.
- CHIPS funding has been increased overall by 10%, this is a possible increase of \$50,000 to the Town.
- Mr. Woolridge has concerns about blacktopping this year, between black top and fuel being twice as much as last year. Mr. Woolridge might roll over his CHIPS funding until 2023, hopefully by then the cost will go back down. Blacktop was \$54 last year, this week is it \$67-\$68, the vender believes it will be \$70 before the week is over. If it is decided to wait until 2023 they will be busy changing culverts, cleaning ditches and cutting trees.
- Dumpster Days will be May 6th, 7th and 8th same as before dumpsters will be at the highway garage and the town hall.
- Repairs continue on the salt shed
- The highway department will be having a work day at the park, there are a few trees that need to be removed and some sand for the beach and the playground.
- The Councilmen all signed the Agreement to Spend Town Highway Funds as per Section 284 of the Highway Law, and Supervisor Tomaino signed the mowing agreement. Mrs. Haynes will forward both to the County.
- Mr. Woolridge attended the hard hat show, he ordered a hot box. This piece of equipment can be reimbursed thru CHIPS funding.

After discussion Mr. Chapman made the motion to authorize Mr. Woolridge to purchase a new Falcon 4 ton asphalt recycler/HotBox automatic temperature control VIP technology, seamless ceramic combustion chamber, LP Torch w/hose reel, 24x24 compactor basket, 3 position tool holder, 12v hoist, LED work lights, LED light package, dual diesel burners, dump box, 16' tandem axle trailer, battery charging system, upgraded tire package for a total price of \$48,345., seconded by Mr. Colesante.

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

Mr. Moran asked if Mr. Woolridge if he is still going to sell the bucket truck that was recently replaced. Mr. Woolridge is currently going thru the truck, he is also going to get a grounding test done so it will be all set to go when the pictures are taken and put up for sale.

Mr. Metzger made the motion to accept the highway superintendent's report as given, seconded by Mr. Colesante.

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

APPROVAL OF DEPARTMENT REPORTS:

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

- a. Code Enforcement - \$1,220.90
- b. Justice Pelon and Justice Simpson
- c. Town Clerk - \$2,127.90
- d. Tax Collector - \$4,711,653.33 Total Collected, \$2,212,041.64 final payment to County on 4/8/22
- e. Dog Control – No Report

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

TUG HILL COMMISSION:

Mr. Baxter reported:

- a. Today was the annual Tug Hill Conference, it was well attended by the Town of Constantia, Mr. Baxter thanks all who attended. This is the first conference since 2019 and for the first time the conference was held at the Turning Stone Casino.
- b. Mr. Baxter gave the planning board the Microsoft word copy of the comprehensive plan to make revisions and changes easier.

PLANNING BOARD:

March 22, 2022 minutes received along with Mr. Hirsch letter.

CORRESPONDENCE:

Mr. Tomaino called NYSDOT, they in turn sent a letter via email approving lowering the speed limit on Doris Park Drive, the letter indicates official orders will follow.

BOARD INITIATIVES AND COMMENT:

-Dog Law – Mr. Bader read the following law into the minutes:

TOWN OF CONSTANTIA LOCAL LAW NO. A OF 2022

A LOCAL LAW TO PROHIBIT DOGS IN THE TOWN OF CONSTANTIA DAVID C. WEBB MEMORIAL PARK AT TAFT BAY

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

SECTION 1. AUTHORITY.

This Local Law is enacted pursuant to the New York State Constitution and New York Municipal Home Rule Law §10.

SECTION 2. PURPOSE AND INTENT.

The purpose of this Local Law is to promote a clean environment in the Town of Constantia David C. Webb Memorial Park at Taft Bay. Further, this Local Law is intended to promote public safety for all visitors to the David C. Webb Memorial Park at Taft Bay.

SECTION 3. DOGS PROHIBITED IN THE DAVID C. WEBB MEMORIAL PARK AT TAFT BAY.

It shall be unlawful for any owner of, or any person harboring any dog in the Town of Constantia to permit or allow such dog, whether or not tagged or licensed and whether or not attended or unattended to enter into or be present at the David C. Webb Memorial Park at Taft Bay. In the event that the owner of any dog is a minor and said dog is harbored on the property of said minor's parent or parents, guardian or guardians or any other relative, said parent, guardian or other relative shall be responsible and be liable for fines and other penalties hereinafter provided.

SECTION 4. PENALTIES FOR VIOATIONS.

Any and every violation of the provisions of this Local Law shall be deemed to be an offense punishable by a fine not exceeding \$250 or by imprisonment not to exceed 15 days, or both. Each day’s continued violation of this Local Law, after written notice thereof, shall constitute a separate and additional violation. In addition to the above-provided penalties and punishment, or in lieu thereof, the Town Board may also maintain an action or proceeding in the name of the Town in a court of competent jurisdiction to compel compliance with or to restrain by injunction the violation of this Local Law.

SECTION 5. SEVERABILITY.

If a court determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

SECTION 6. EFFECTIVE DATE.

This Local Law shall take effect immediately upon filing with the New York State Department of State.

**TOWN OF CONSTANTIA
TOWN BOARD RESOLUTION**

April 19, 2022

TOWN OF CONSTANTIA LOCAL LAW NO. A OF 2022
 (“A Local Law to Prohibit Dogs in the Town of Constantia David C. Webb Memorial Park at Taft Bay”)

Councilman Metzger introduced proposed Local Law No. A-2022, “A Local Law to Prohibit Dogs in the Town of Constantia David C. Webb Memorial Park at Taft Bay”, which was seconded by Councilman Colesante:

WHEREAS, proposed Local Law No. A-2022 is being introduced and considered for enactment pursuant to the New York State Constitution and New York Municipal Home Rule Law §10; 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, 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 shall be required in connection with this matter; and

WHEREAS, the said Short Environmental Assessment Form has been prepared and has been reviewed by the Town; and

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

NOW, THEREFORE, it is

RESOLVED, 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, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. A-2022 at the Town of Constantia Town Hall, 14 Frederick Street, Constantia, New York on May 17, 2022 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.

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

Tom Moran	Councilor	Voted	Yes
John Metzger	Councilor	Voted	Yes
Richard Colesante	Councilor	Voted	Yes
Ron Chapman	Councilor	Voted	Yes
Frank Tomaino	Supervisor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

DATED: April 19, 2022

Dissolution of Lighting Districts:

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

After extensive review by the Town of the Town lighting districts;

WHEREAS, there is no record that the two lighting districts were ever legally formed or created;

and

WHEREAS, the Town Board believes that it is in the best interests of the Town and its residents to treat lighting district charges as a general charge which covers the entire Town and which will exclude the Village as the Village has its own lighting districts.

NOW, THEREFORE, it is

RESOLVED, that because it cannot be determined if and when the two lighting districts in the Town were ever legally created, the Town cannot legally dissolve the two districts that never legally existed; and it is further

RESOLVED, that the Town treat the lighting charges as a general expense for the entire Town excluding the Village of Cleveland. The account that was created for the 2022 Town Budget is A5182.4 Street Lighting CE

Seconded by Councilman: **Metzger**

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.

-Next meeting on April 27th at 9am for discussion on the Storage Container Law

-Noon gathering at the Town Hall for the new website launch

ADJOURN:

At 8:33 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Metzger.

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