

TOWN OF CONSTANTIA
MINUTES – SUPERVISOR MEETING - TOWN BOARD – May 2, 2022
9:00 am 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
Wayne Woolridge – Highway Superintendent
Nancy Butler - Bookkeeper
Robin Wilson – Trustee, Village of Cleveland
Dustin Clark and David Powers – Barton & Loguidice
Paul Baxter – Tug Hill Commission

CALL TO ORDER:

At 9:00 am Mr. Tomaino called the supervisor’s meeting to order with the pledge of allegiance.

HIGHWAY BUDGET MODIFICATION:

Ms. Butler and Mr. Woolridge had spoken previously about using DA funds for a culvert project. As this is not an easy topic Ms. Butler brought with her a possible budget modification for the highway fund. DB599 Unreserved Fund Balance was added under Income and funded with \$140,000 as an offset, DB5120.4 Bridges CE was added also funded with \$140,000. To do this the unreserved fund balance of \$140,000 will need to be used, as these lines were not added during the budget process. The unreserved fund balance is the monies that are used during the budget process to keep the amount raised by taxes at a lower rate. Ms. Butler added that the highway fund balance is the largest that she has ever seen. Mr. Tomaino asked if doing this will put the budget in danger, Ms. Butler said no, but it will be necessary to keep a closer eye on spending. Mr. Woolridge thought there was \$140,000 already in holding for this project, if you look at the Annual Update Document on page 22 there is a balance of \$140,305. Ms. Butler is aware of this, when the accounts were set up, they were set up incorrectly. This \$140,305 is not in a separate account, it is only listed separately on the Annual Update Document because that is the way the State wants it to be reported. Ms. Butler has been trying to get it corrected, in 2021 there was work that was done that could be charged against this fund, Ms. Butler has cleared out the \$140,305 it will no longer be listed on the Annual Audit Report. Ms. Butler used the example of what the Town recently did with the lighting district, it was the same situation, money being budgeted that was not being used.

After further discussion, Mr. Woolridge is not comfortable using the unreserved fund balance. Mr. Woolridge would rather use CHIPs monies for the project. CHIPs funding is up from last year, and both Pave NY and Winter Recovery monies have been added to the budget. With that in mind, Mr. Woolridge would like to make a budget modification similar to what was done last year. This would be to increase DB5112.2 Improvements CO to \$443,474.79, this amount will reflect the additional funding noted above and what the Town originally budgeted. This resolution will be ready for consideration at the May town board meeting.

Mr. Woolridge is not planning on using all of the CHIPs funding this year, with the cost of blacktop and diesel, it is cost prohibited. Mr. Tomaino asked about oil and stone, Mr. Woolridge responded that the cost is not much better as it still contains oil.

At 9:30am Ms. Butler left the meeting.

WASTEWATER:

Mr. Clark told the board that the meeting with the Village at the treatment plant went very well. On May 18th a visit has been scheduled with the Village Trustees and DPW workers to go to the Dryden and Watkins Glen treatment plants, both these plants are similar to what the Village will be working with. If any board members would like to go, just let Mr. Clark or Mr. Powers know, Mr. Tomaino is interested.

-The informational letter went in the mail late last week, it is expected that the paperwork for the first batch that have completed title searches will be sent by the end of this week. First date for inspections will be May 16th.

-Force main team will be out driving around in case there are any calls to the Town.

-Discussion on grease traps as they pertain to businesses that are in the sewer district. A grease trap is a must, the board will need to decide if a business does not have a proper grease trap. Will the district pay for a new one or will this need to be the responsibility of the owner. Mr. Clark does understand that this project has been advertised as a turnkey but the Town will need to decide to what extent for businesses. This is something that will need to be decided on, not today but shortly.

-Sewer Law – after discussion it was decided to accept the DEC model law, Mr. Clark indicated that what the Village uses is a reflection of this law. Mrs. Haynes will make the necessary changes for final approval.

COMPREHENSIVE PLAN:

Mr. Clark was at the last meeting when updating the comprehensive plan was discussed. Mr. Clark wanted the board to know that this is something that Barton & Loguidice can help with. There are grants that can help with the process, as this is not Mr. Clarks department, he would encourage a video conference for further discussion.

STORAGE CONTAINER LAW:

Work continued on the storage container law, after discussion the following was read into the minutes:

Section 1010.2 - Regulation on Storage Trailers and Containers in the Town of Constantia

1. Purpose

This section is adopted to improve and promote the health, safety and general welfare of the community, including the protection and preservation of property of the town and its inhabitants by regulating the placement of storage trailers or containers on both private and public land within the Town of Constantia.

2. Definitions

- a. **LONG-TERM STORAGE** - The storing or warehousing of goods, equipment, parts and materials for an extended period of time or a period of time exceeding six months.
- b. **STORAGE TRAILER** - Any enclosed vehicle, semi-trailer, large van or bus (either motorized or designed to be pulled by an automobile or truck) which is or was originally intended for the hauling of freight, people, goods or equipment over the road.
- c. **PORTABLE STORAGE CONTAINER** – For the purposes of this local law, the term "portable storage container" shall mean any temporary, transportable, movable or portable container, which is delivered to and placed outdoors on private property for storage purposes.
- d. A portable storage container does not include any of the following:
 - a. A debris dumpster or construction trailer
 - b. A temporary construction trailer or other trailer subject to a temporary use permit under Section 3C.

3. Standards

- a. It is prohibited to utilize a storage trailer or container for the purpose of long-term storage (or any other function other than its original intended use) on any property, both public and private, within the Town of Constantia.
 - No storage trailer or container shall be used as an addition to a residential or commercial building or as a container home.
 - No storage trailer or container shall be used for the purpose of housing animals (domestic, wild/or farm).
 - Wood stoves shall not be permitted in any storage trailer or container.
- b. The use of a storage trailer or container on residential properties for the purpose of storing materials, goods, parts and equipment on only those properties where it is verified by the Code Enforcement Officer that construction and/or development is taking place will be permitted only after a temporary permit has been issued.
- c. A temporary permit shall be required prior to the placement of any storage trailer or container on public or privately owned property which is undergoing development or where construction is taking place. All permits shall be obtained from the Town of Constantia Code Enforcement Officer, at a cost of \$50 each. All permits shall expire six months from the date of issuance. Permits shall be renewable, if necessary, until construction is completed or the project has been terminated or abandoned. The cost of each renewal permit shall be \$50.
- d. The contents of all storage trailers or containers shall be reported, using the guidelines of § 209-u of New York State General Municipal Law. Two copies of the Hazardous Materials Report form shall be filed prior to issuance of a permit. One copy is to be sent to the local Fire Dispatcher. The second copy is to be attached to the application for the permit.
- e. All warning placards which would have been required for the contents under Federal Department of Transportation guidelines, as covered in the Code of Federal Regulations, Title 49, Parts 100-199 (49 CFR 100-199), shall be posted and remain in place during the entire time of storage.
- f. It shall be the responsibility of the Code Enforcement Officer or his duly authorized representative to enforce the provisions of this chapter.

4. Violations

- a. Notice of violation shall be served to the owner/owners, executors, legal representatives, agents or any other person having ownership and/or a vested interest in the property (as shown on the Town's most recent assessment roll) on which the violation is located. If no such person can be reasonably found, notice of violation shall be served by mailing to such owner, by registered mail, a copy of such notice to his/her last known address.
- b. If the owner of the property has not properly removed and/or disposed of the storage trailer within 30 days of the date the notice was issued it will be declared an offense and subject to the following mandatory penalties identified in park c below. In situations where more than one storage trailer or container is found to occupy the property, each storage unit shall constitute a separate offense.
- c. Any person, firm or corporation permitting any storage trailer or container to remain parked or stored on his or her property, as defined in the provisions of this Code, shall be, upon conviction, punishable by a mandatory fine not less than \$25 but not more than \$50

daily for each violation.

Of note, the fees referenced will be discussed at a later date. Mrs. Haynes will make the discussed changes to be ready for the May town board meeting.

ADJOURN:

At 11:46am the meeting adjourned.