

TOWN OF CONSTANTIA
MINUTES –TOWN BOARD – May 17, 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
James Peck – Chairman, Planning Board
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.
 - ✓ **Meeting with Village WWTP team to review concept plans held April 21, 2022.**
- Current Status:
 - Site Visit w/ Town and Village to Watkins Glen and Dryden WWTP on May 18, 2022.
 - Continue developing 25% plans and drawings.
 - Boring/geotechnical work will be performed throughout next month.
- Future steps:
 - Address DEC comments regarding NY-2A application when issued.

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.
 - ✓ **Intro Letter sent to all residents on April 28, 2022.**
 - ✓ **First set of home inspection letters sent out on May 9, 2022.**
- Current Status:
 - Home inspections starting this week and proceeding for the foreseeable future.

Barton & Loguidice has applied for another \$10M STAG Grant this is a bi-partisan grant opportunity, Mr. Clark indicated they will continue to apply for grants as they come out to help with additional cost and inflation. Mr. Powers told the board that it would be good to again apply for a CDBG grant it has the possibility of bringing in another \$1.5M to the project. The project was rejected on the last round but it does not hurt to reapply. Mr. Tomaino asked if this is the grant that the Village of Cleveland was awarded that has a lot of administration aspects. Mr. Clark says it does but that is when you rely on Fiscal Advisors or G&G to administer. The cost is about \$2,000 to apply but could be worth it. With this grant there is a public hearing that will need to be set, Mr. Powers will get the necessary resolutions ready for the June Town Board meeting.

Water – Deadline to submit for a possible water project is June 17th, an approximate version of the project will be submitted as a place holder.

COMPREHENSIVE PLAN:

Mr. Peck, Chairman for the planning board was in attendance to speak about the comprehensive plan. Mr. Peck spoke to Mr. Clark briefly at the Tug Hill Conference about helping with updating the comprehensive plan, most specifically with the area that has water and the upcoming sewer. Tug Hill Commission will help with the demographics. Mr. Colesante asked if Mr. Peck envisioned another survey, Mr. Peck believes what is in the 2013 survey would be fine to use for some points. Mr. Peck is just concerned that certain areas need expertise, of course the planning board can get help from Mr. Johnson from the Tug Hill Commission, DEC and DOT. Mr. Pone was in attendance, he is a member of the planning board, Mr. Pone added that the whole plan will not be reviewed, just certain sections to update what is new. Mr. Tomaino reminded Mr. Peck that the board is only looking for what is called a periodic update, not an overhaul.

PARKS AND RECREATION:

Mrs. Zehr reported:

- The lines will be put in this weekend
- Holding interviews on Saturday
- CPR Class is being held
- Signs will be ordered with information pertaining to the new Dog Law (1-2022)
- Town of West Monroe will be capped at sending 50 children 4 additional counselors will be needed

Mr. Colesante asked if applications from West Monroe will be considered to be hired for any positions, Mr. Zehr responded they would be.

MINUTES:

Mr. Moran made the motion to accept the minutes of the April 19th town board meeting and the May 2nd supervisors meeting, seconded by Mr. Chapman.

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 #5 Dated May 17, 2022:

General	147-185	\$ 25,304.86
Highway	74-96	\$ 85,558.18
Sewer	12-17	\$725,000.05

Seconded by Mr. Colesante.

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

SUPERVISOR:

Mr. Moran made the motion to approve the supervisor’s report dated April 30, 2022, seconded by Mr. Chapman.

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

BUDGET MODIFICATION:

Mr. Moran used a portion of May 2nd meeting minutes to help clarify the budget modification that is being requested.

“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.” (To note \$443,474.79 has been increase to add the new Pave our Potholes funding that was added into the NYS Budget, Mr. Woolridge was unaware of this new funding.)

Mr. Moran then offered the following resolution:

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

Due to an increase of revenue from New York State Department of Transportation Highway Improvement Program the following is a budget modification. Revenue DB3501 CHIPS will be increased from \$140,000 to \$306,924.66, the following is the revenue breakdown:

2022-2023	CHIPS	\$182,492.92
2022-2023	Pave NY	\$ 48,362.80
2022-2023	Winter Recovery	\$ 43,827.07
2022-2023	Pave our Potholes	\$ 32,241.87
Total:		\$306,924.66

Increase the following budget lines:

Revenue DB3501 from: \$140,000.00 to \$306,924.66
Expense DB5112.2 from: \$310,000.00 to \$476,924.66

The additional CHIPS Revenue of \$166,924.66 is used to increase revenue and expenditure beyond what Town budgeted.

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
Frank Tomaino	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

HIGHWAY:

Mr. Woolridge reported:

- Minimal paving will be done this year, the cost of both diesel and blacktop is more that 2x what is was last year, Mr. Woolridge will wait with the hopes that the price will go down next year.
- Major work will be done on Frederick St, replacing culverts and doing sidewalks as time permits
- Ditching and shoulder work is being done
- Grading dirt roads is next

- Trucks have been sandblasted and painted
- Hauling stone for the installation of culverts
- Working at the park to get ready for summer, sand still needs to be delivered
- Continue to work on the salt shed, they will parget the walls and then will put up the knee wall for additional protection

Mr. Tomaino asked Mr. Woolridge how he purchased the new Hot Box that was approved at the last meeting, Mr. Woolridge responded that it was on State Bid so no quotes were necessary as per the Procurement Policy. Mr. Tomaino thanked Mr. Woolridge for the information.

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

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 April, seconded by Mr. Metzger.

- a. Code Enforcement
- b. Justice Pelon and Justice Simpson
- c. Town Clerk
- d. Dog Control – No Report

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

Mr. Tomaino is unhappy that Ms. Ashley, DCO has not turned in a report for two months, after a short discussion board members asked Mr. Tomaino to have Ms. Ashley come to the supervisor meeting on June 6th.

TUG HILL COMMISSION:

Mr. Baxter reported:

- Congratulations on your transition to your new town web site design and support providers, and thank you for the opportunity to support bringing news and information to Constantia for the last twenty years.
- The 2022 Tug Hill Local Government Conference took place Tuesday, April 19, 2022 at Turning Stone Casino. It was a success, and was well received by those who attended. Attendance by NorCOG communities was up compared to past years. The Tug Hill Commission is already planning for next year's conference and unofficially, I understand it will be returning to Turning Stone in 2023 in early April. Stay tuned for further announcements!
- Let me know if you need additional COVID test kits. I have a limited number still available.
- As the most recent Tug Hill Times reported, a new round of the Tug Hill Community Recognition Awards program has opened. The program is to recognize communities and groups that have gone 'above and beyond' to implement a project that has made a real impact in the area. More details are available on the Tug Hill Web site, www.tughill.org; the link is under News and Publications, under Press Releases. Applications are due by June 1
- We are still in the process of determining a meeting date and time for the next North Shore Council of Governments meeting. We have not had responses thus far to proposed dates which had enough able to attend. We are currently looking at late May/early June dates, and if there are any dates/times you can identify as ones you could attend, that would help us get this scheduled. Thanks for your help on this. We typically only meet twice a year, and we keep our meetings brief and to-the-point.
- The state added amendments to Open Meetings Law as part of 2022-23 budget adoption. Current authorizations for remote meeting participation by local officials ends June 9. The town must pass a local law to be able to allow remote participation by local officials after that date. The law enabling that expires in 2024, so once having adopted an authorizing local law, the town would be enabled to exercise that option until the law's expiration. Let me know if I can be of any help to the town should it wish to implement an authorizing local law.

PLANNING BOARD:

April 5th and April 26th minutes received

BOARD OF APPEALS:

Marth 17, 2022 minutes received

BOARD INITIATIVES AND COMMENT:

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

**TOWN OF CONSTANTIA
TOWN BOARD RESOLUTION**

May 17, 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")

The following resolution was offered by Councilor Colesante, who moved its adoption, seconded by Councilor Metzger, to wit:

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. A-2022, "A Local Law to Prohibit Dogs in the Town of Constantia David C. Webb Memorial Park at Taft Bay," was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on April 19, 2022; and

WHEREAS, a public hearing was held on such proposed local law on May 17, 2022, by the Town Board of the Town of Constantia and proof of publication of notice of such public hearing, as required by law, having been submitted and filed, and all persons desiring to be heard in connection with said proposed local law having been heard, and said proposed local law having been in the possession of the members of the Town Board of the Town of Constantia in its final form in the manner required by Section 20 of the Municipal Home Rule Law of the State of New York; and

WHEREAS, the enactment of Proposed Local Law No. A-2022 has previously been determined to be an Unlisted Action, the Board declared itself to be Lead Agency and issued a Negative Declaration for purposes of SEQRA; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. A-2022.

NOW, THEREFORE, it is

RESOLVED, that the Town Board of the Town of Constantia, Oswego County, New York, does hereby enact Proposed Local Law No. A-2022 as Local Law No. 1-2022 as follows:

**"TOWN OF CONSTANTIA
LOCAL LAW NO. 1 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."

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.

-Storage Container Law – Mrs. Haynes asked if the board members were ready to send the proposed law to Costello, Cooney & Fearon (CC&F) for the necessary resolutions to be drafted. Mr. Colesante questioned if there are any additional changes can they still be made, Mr. Bader responded yes they can be made at the public hearing before the final vote. Mrs. Haynes will forward the proposed law, hopefully the public hearing can be set at the June 6th supervisor’s meeting.

-A sample law sent to the Town by CC&F has been reviewed by the board to opt out of the tax exemption for Solar and Wind Energy Systems. The board will be moving forward with this law, resolutions to set the public hearing will be ready for the June 6th supervisor’s meeting.

-Sewer Law – Has been sent to CC&F for final review and for resolutions for the public hearing.

Mr. Colesante would like to see a few items tweaked in the Land Development Law, hopefully when the storage container law is passed as it is part of the Land Development Law. Two items of interest:

- What triggers a site plan review
- Planning board requiring stamped drawings

Mr. Woolridge has spoken to Mrs. Gilkey about the bench that was purchased in memory of Mr. Charles Gilkey, this bench was originally sited at the end of Mill Street. There has been a bit of an issue with the property at the end of the street where the bench originally sat. Mr. Woolridge would like to install the bench elsewhere but Mrs. Gilkey’s first choice was and still is in the original location. After discussion it was agreed that the board would like to make the necessary upgrades to the end of the street for placement of the bench at that location.

ADJOURN:

At 8:58 pm Mr. Colesante made the motion to adjourn, seconded by Mr. Chapman.

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