

TOWN OF CONSTANTIA  
**MINUTES –TOWN BOARD – September 20, 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 and William Hamacher – Code Enforcement Officer’s  
Erin Zehr – Park and Recreation Commission  
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.

**PUBLIC COMMENT:**

No Comment

**WASTEWATER/WATER:**

Mr. Tomaino went to the Village of Cleveland with Mr. Powers from Barton & Loguidice they had a meeting marking 25% completion of the engineering plans for the sewer treatment plant. Mr. Powers sent the following report as there is not a lot of new information, if there are any questions, please feel free to reach out to Mr. Powers.

**Constantia North Shore Sewer Project**

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.
  - ✓ Site Visit w/ Town and Village to Watkins Glen and Dryden WWTP on May 18, 2022.
  - ✓ **Boring and geotechnical explorations completed on August 11.**
  - ✓ **WWTP 25% design review meeting with Village and Town complete on Sept. 16, 2022.**
  - ✓ **RFPs issued to subconsultants for structural, architectural, and mechanical design.**
- Current Status:
  - **Addressing comments received from DEC regarding NY-2A application.**
  - **Continue developing 50% plans and specifications.**

- Future steps:
  - Execute agreements with subconsultants.

B. Grinder Pump Scope:

- Recent Work Completed
  - ✓ Intro Letter sent to all residents on April 28, 2022.
  - ✓ First set of home inspection letters sent out on May 9, 2022.
  - ✓ Second set of home inspection letters sent on June 24, 2022.
  - ✓ **Third set of home inspection letters sent on August 1, 2022.**
  - ✓ **198/310 home inspections complete from first thru third mailing. 3 more inspections are currently scheduled at this time.**
  - ✓ **Door hangers and door-to-door visits continue for recipients who have not responded to mailings.**
  - ✓ **Inspections are being arranged for commercial properties outside of typical mailing schedule.**
- Current Status:
  - Home inspections proceeding for the foreseeable future.
  - **Fourth set of inspection letters is pending addition title searches.**

C. Forcemain 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.
  - ✓ Field visits to review proposed preliminary alignment complete week of May 2, 2022.
  - ✓ SHPO approved phase 1B work plan for archeological testing.
  - ✓ **Borings completed at pump stations on August 11.**
  - ✓ **Archeological review set complete.**
- Current Status:
  - Progressing force main alignment and profiles for agency review set.
- Future steps:
  - Submit agency review set to begin review process.

D. Funding and Other Items:

- Recent Work Completed
  - ✓ Updated project listing to capture inflation costs and additional work items.
  - ✓ Standard resolutions required for submission of CDBG grant application.
  - ✓ **CDBG Funding Application submitted July 29, 2022**
  - ✓ **Additional WQIP Application submitted July 29, 2022**
- 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.

CFA Funding announcements tentatively expected December 2022.

**PARKS AND RECREATION:**

Mrs. Zehr reported:

- Park is wrapped up for this year.
- Mr. Sundet, Supervisor for West Monroe has received positive feedback from his residents he is hopeful they will be able to do the program again next year.
- Grant paperwork is done and has been sent in.

**MINUTES:**

Mr. Metzger made the motion to accept the minutes of the August 16th town board meeting, seconded by Mr. Moran.

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 #9 Dated September 20, 2022:

General	290-331	\$158,416.97
Highway	160-185	\$ 45,939.82
Sewer	39-42	\$189,681.17
North Shore Water	4	\$ 6,985.45
Bernhards Bay Water	6-7	\$ 15,615.41
American Recovery Plan	1	\$ 49,648.00

Seconded by Mr. Moran.

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

**SUPERVISOR:**

Mr. Moran then made the motion to approve the supervisor’s report dated August 31, 2022, seconded by Mr. Chapman.

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

**HIGHWAY:**

Mr. Woolridge reported:

- Finished Avery Rd culvert and storm drain, Martin Rd is next
- Graded all dirt roads
- Sand is in for winter
- Boom mower has been returned
- Hot box is ordered, will be in shortly
- New truck will be built in October then sent to Viking for installation of the snowplow
- Beavers continue to be a problem, called DEC for nuisance permits, looking for a new trapper
- Getting the leaf vac ready
- Next week they will start to change over the trucks

Mr. Woolridge would like the board’s approval to advertise for the purchase of a used rubber tire excavator with a grapple like the one the Town has been renting. This machine comes in handy for tree work and helping with replacing culverts. Mr. Woolridge will not spend more than \$120,000, he can use CHIPs money for the purchase. Mr. Moran asked if using CHIPs will make paving suffer. Mr. Woolridge will be rolling over leftover funds to pave next year. After further discussion Mr. Colesante made the motion to authorize Mr. Woolridge to advertise for the purchase of a used rubber tire excavator, seconded by Mr. Moran.

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

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 August, seconded by Mr. Moran.

- a. Code Enforcement
- b. Justice Pelon and Justice Simpson
- c. Town Clerk
- d. Dog Control

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

**TUG HILL COMMISSION:**

Mr. Baxter reported:

- I am in the process of preparing the Oswego County towns budget categories comparison (interrupted by the pandemic), and my goal is to have that to you soon.  
Also, I assisted the town bookkeeper in preparing the budget blank for the 2023 tentative budget.
- The Governor allowed the COVID state of emergency to expire at midnight, September 12, 2022, so any provisions the town has been operating under pursuant to those continuing provisions are no longer in effect.
- The Tug Hill Commission annual dinner has been scheduled for Thursday, October 20, 2022, at Zero Dock Street in Carthage, New York. Invitations were mailed recently. Hope to see you there!
- We are in the process of scheduling the North Shore – Salmon Rivers Councils of Governments fall meeting. Let me know of any suggestions for date, location, and any agenda items.
- The Tug Hill Commission continues to assist the planning board and the town with the process of its comprehensive plan update.

**CORRESPONDENCE:**

- a. Costello Cooney & Fearon working on new State Requirements for Code Enforcement (Local Law to follow)
- b. Local Law 3-2022 Storage Containers, receipt received from the Department of State – LDL has been updated
- c. JOA’s Pizza applied for a liquor license

**PLANNING BOARD:**

Continue work on the comprehensive plan, August 24<sup>th</sup> minutes received.

**BOARD INITIATIVES AND COMMENT:**

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

**The town board for the town of Constantia approves the 2021 Justice audits. Justice Pelon’s and Justice Simpson’s audits have been completed by Councilman Metzger and Supervisor Tomaino. It is further instructed that Ms. Butler – Bookkeeper, send copies of both to the New York State Office of Court Administration.**

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	<b>Yes</b>
Richard Colesante	Voted	<b>Yes</b>
John Metzger	Voted	<b>Yes</b>
Tom Moran	Voted	<b>Yes</b>
Ronald Chapman	Voted	<b>Yes</b>

COUNCILMAN: **Moran**

Introduced the following and moved its adoption:

**The town board for the Town of Constantia will authorize Supervisor Frank S. Tomaino to sign the contract with Laberge Engineering & Consulting Group, LTD this is a standard agreement for professional services. Laberge Engineering & Consulting Group, LTD will assisting with the administration of the Town’s American Rescue Plan Act (ARPA)’s State and Local Fiscal Recovery Funds. The Town will be billed as per the hourly rate schedule for general services which is attached.**

**\*Copy of hourly rate schedule is available at the Town Clerk’s office.**

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	<b>Yes</b>
Richard Colesante	Voted	<b>Yes</b>
John Metzger	Voted	<b>Yes</b>
Tom Moran	Voted	<b>Yes</b>

Ronald Chapman Voted Yes

COUNCILMAN: Chapman

Introduced the following and moved its adoption:

The Town Board is authorizing the expenditure of \$49,648.00 (Forty Nine Thousand Six Hundred Forty Eight) dollars of the American Rescue Plan Act (ARPA) funds to North Shore Ambulance. North Shore Ambulance will be purchasing two MTS Power Load Stretchers from Stryker Medical, PO Box 93308, Chicago, IL 60673-3308.

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:

Frank Tomaino	Voted	Yes
Richard Colesante	Voted	No
John Metzger	Voted	Yes
Tom Moran	Voted	Yes
Ronald Chapman	Voted	Yes

COUNCILMAN: Moran

Introduced the following and moved its adoption:

The Town Board is authorizing the expenditure of \$18,630.83 (Eighteen Thousand Six Hundred Thirty Dollars and Eighty Three Cents) dollars of the American Rescue Plan Act (ARPA) funds to update the computers at the Town Hall, network equipment upgrades and VoIP Unified Telephone System at both the Highway Department and Town Hall.

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

TOWN OF CONSTANTIA TOWN BOARD RESOLUTION

September 20, 2022

TOWN OF CONSTANTIA LOCAL LAW NO. D OF 2022

("A Local Law to Amend the Town of Constantia Land Development Law to Modify Certain Provisions Related to Site Plan Applications")

Councilman Colesante introduced proposed Local Law No. D-2022, "A Local Law to Amend the Town of Constantia Land Development Law to Modify Certain Provisions Related to Site Plan Applications", which was seconded by Councilman Metzger:

WHEREAS, proposed Local Law No. D-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. D-2022 at the Town of Constantia Town Hall, 14 Frederick Street, Constantia, New York on October 18, 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.

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION**

**September 20, 2022**

**TOWN OF CONSTANTIA LOCAL LAW NO. E OF 2022**

(“A Local Law to Amend Local Law No. 2-2007 to Modify the Partial Tax Exemption for Real Property Owned by Senior Citizens Pursuant to Real Property Tax Law §467”)

Councilman Chapman introduced proposed Local Law No. E-2022, “A Local Law to Amend Local Law No. 2-2007 to Modify the Partial Tax Exemption for Real Property Owned by Senior Citizens Pursuant to Real Property Tax Law §467”, which was seconded by Councilman Moran:

**WHEREAS**, proposed Local Law No. E-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; and

**WHEREAS**, the adoption of said Local Law is a Type II action for purposes of environmental review under SEQRA thus concluding the environmental review process.

**NOW, THEREFORE**, it is

**RESOLVED**, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. E-2022 at the Town of Constantia Town Hall, 14 Frederick Street, Constantia, New York on October 18, 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:

<b>Tom Moran</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>John Metzger</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Richard Colesante</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Ron Chapman</b>	<b>Councilor</b>	<b>Voted</b>	<b>Yes</b>
<b>Frank Tomaino</b>	<b>Supervisor</b>	<b>Voted</b>	<b>Yes</b>

The foregoing resolution was thereupon declared duly adopted.

-September is the month to reappoint members to the board of assessment review, there are two new members. Mr. Chapman made the motion to appoint Kristina Donogan, term expires 9/30/2025, Jeremy McCarthy term expires 9/30/2026 and re-appoint Antoina Gilkey term expires 9/30/2027 to the board of assessment review, seconded by Mr. Metzger.

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

-Mr. Tomaino has scheduled two budget workshops, September 6<sup>th</sup> and the 13<sup>th</sup> at 4pm.

**EXECUTIVE SESSION:**

At 8:14pm Mr. Chapman made the motion to go into executive session to discuss a code enforcement issue, seconded by Mr. Colesante.

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

\*Mrs. Haynes did not go into executive session.

**ADJOURN:**

With no action taken during executive session at 8:55 pm Mr. Colesante made the motion to reopen and adjourn, seconded by Mr. Chapman.

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