

TOWN OF CONSTANTIA
MINUTES –TOWN BOARD – October 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
Wayne Woolridge – Highway Superintendent
Warren Bader - Town Attorney
Erin Zehr – Park and Recreation Commission
Paul Baxter – Tug Hill Commission
Roy Reehil – County Legislator

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. Clark was at the meeting and handed out the following report:

Constantia North Shore Sewer Project

A. WWTP Scope:

- Recent Work Completed
 - ✓ 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.
 - ✓ **Received design proposals from engineering subconsultants.**
 - ✓ **Additional survey completed for DEC Climate Risk & Resiliency Act (CRRA) requirements.**
- Current Status:
 - **Finalizing response to DEC regarding NY-2A application and CRRA requirements.**
 - **Continue developing 50% plans and specifications.**
 - **Negotiating subconsultant design proposal fees.**
- Future steps:
 - **Execute amendment to Engineer service agreement.**
 - **Execute agreements with subconsultants.**

B. Grinder Pump Scope:

- Recent Work Completed
 - ✓ Four batches of inspection letters have been sent out to a total of 395 properties.
 - ✓ **244/395 home inspections complete to date. 31 more inspections are currently scheduled to be complete in the coming weeks.**
 - ✓ 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.
 - ✓ **90 easements have been sent to the Town for signature and filing.**
 - ✓ **Homeowners have begun to hear about the inspections via word of mouth and are reaching out to us to schedule in advance of the mailing, good news!**
- Current Status:
 - Home inspections proceeding for the foreseeable future.
 - **Continue sending easements in batches of 15 to Town for signature and filing.**

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.
 - ✓ **Contacted DOT for feedback on preliminary layout.**
- Current Status:
 - Progressing force main alignment and profiles for agency review set.
- Future steps:
 - Submit agency review set to formally 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.
 - **Coordination with Bond counsel for increase bond resolution.**
 - **Continue pursuit of additional grant opportunities.**

Mr. Tomaino asked if appointments for easements will still be made in the winter, Mr. Clark believes they will slow down in the winter as it is not as easy to do the actual field work when there is snow on the ground.

One item that will need to be decided soon is to standardize all grinder pumps for the district with E-One grinder pumps. Mr. Colesante asked if they will need justification to standardize. How many different companies make grinder pumps? There are about 4-5 reputable companies all of which cost 10% of each other, not easy to compare they are not all the same. E-One pumps are built in Saratoga, parts are easy to get, and most to the surrounding districts utilize E-One. The Village of Cleveland uses E-One that would be the biggest justification.

Sewer Law is still outstanding, Mr. Tomaino asked if there is a deadline – there is still time for this to be passed.

Mr. Duggleby has reached out to Mr. Tomaino, Mr. Duggleby has a massive pile of top soil that he would like to offer to the Town/District for use. Mr. Duggleby would like in exchange a donation slip. The problem is nobody is sure of the quality of the soil, when working on projects especially when working with DOT everything needs to be tested.

COUNTY LEGISLATOR:

Mr. Reehil does not have much to report, he is still getting the information together on the effects of waiving the sales tax on gas for the Town. Mr. Reehil does not believe it will amount to much but wants to have the correct figures.

The State has mandated that the County upgrade their court facilities, Mr. Reehil believes the County will be spending \$8M on this project, much of the money will come from ARPA and some the Opioid reimbursement that the County has received for the upgrades.

Mr. Reehil has been contacted by the VFW for a grant for a generator, the VFW is an emergency location.

Mr. Tomaino told Mr. Reehil he would like to update the Emergency Management Plan with the County.

PARKS AND RECREATION:

Mrs. Zehr reported:

- The park will be needing additional life guards for next summer, if anyone knows of anyone that might be interested please let them know that park program is looking. Mr. Tomaino suggested to reach out to Mr. Sundet, hopefully West Monroe will have some kids that are interested.
- Ms. Zehr asked for permission to spend \$175 for the holiday light program, not sure how much is left in the budget. The board told her to go ahead.
- Mr. Woolridge asked if the soccer program is going to be running this spring, Ms. Zehr has not heard from them, she will reach out to get an answer. If they will not be holding their program it would be nice to have the nets removed.

Mr. Colesante brought up the goose problem at the park, the only way to decrease their numbers would be to kill the eggs or to gather them up when they are flightless. Unfortunately they do not nest at the park, and by the time they gather at the park they are no longer flightless. One option would be to have dogs come and harass them but that takes a few years and is costly. The last option is to have hunters come to lower their numbers, but guns are not allowed at the park and Mr. Bader does not believe the Town could or should make an exception. It is unfortunate because the amount of goose feces is over the top. The playground equipment is covered.

MINUTES:

Mr. Chapman made the motion to accept the minutes of the September 13th water and sewer meeting, September 20th town board meeting, and October 3rd supervisor meeting, seconded by Mr. Moran.

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

VOUCHERS:

Mr. Moran made the motion to accept the following vouchers as listed on Abstract #10 Dated October 18, 2022:

General	332-356	\$13,135.40
Highway	186-197	\$26,226.69
Sewer	43-44	\$ 1,605.00
American Recovery Plan	2	\$ 377.25

Seconded by Mr. Colesante.

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

SUPERVISOR:

Mr. Moran offered the following: Referring to general fund budget transfer sheet #2 for September 2022, account A7110.4 Park PS is over budget by \$380.69. I therefore make a motion to transfer \$380.69 from Contingency Account A1990.4 to replenish the over budget account, leaving \$85,189.81 balance in Contingency, seconded by Mr. Chapman.

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

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

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

HIGHWAY:

Mr. Woolridge reported:

- Completed driveways on Lewis and Kibbie Lake
- In the process of changing trucks over, will be putting on sanders tomorrow
- Picked up leaves for the first time on Monday the 17th
- Hot box is in will be trying it out tomorrow on two driveways that the culverts have collapsed
- Drain repair on Lakeshore Rd
- Firewood is in
- Draft snow and ice contract has been given to Mr. Bader for review

Mr. Woolridge would like permission to speak to the American Legion, VFW and Mason’s to discuss purchasing Veteran’s banners for the Town. These banners are in many Towns in Oswego County, Mr. Woolridge requested the application from Central Square but believes Sandy Creek and Mexico has used the same form. Mr. Woolridge spoke to Downtown Decorations the cost of the banners with hardware is \$296. Mr. Woolridge believes there will need to be fundraisers and that the monies will need to be funneled thru the organizations which in turn will order the banners. All board members think this is a great idea, Mr. Woolridge will contact the organizations and update the board next month.

One bid was received for the wheeled excavator that went out to bid last month, Mr. Woolridge did fax the bid to Tracey and Clark Equipment. Mr. Tomaino opened the bid from Kleis Equipment, 1837 St Rt 49 Constantia, total bid for a 2016 Wheeled Excavator is \$97,500.00. Mr. Woolridge would like to have the board accept the bid. Mr. Metzger made the motion to accept the bid from Kleis Equipment for \$97,500.00, seconded by Mr. Colesante.

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

Mr. Chapman 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 September, 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:

- 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.
- Census numbers are out for 2020, and Constantia population has decreased slightly, from 4,973 to 4,776. The state comptroller has a useful dashboard to Census data at:
<http://www1.osc.state.ny.us/localgov/2020-census-interactive-dashboard.htm>

- The Tug Hill Commission conducted a webinar on Sign Regulations and the First Amendment tonight, Tuesday, October 18. It was very interesting! It should be available on the Tug Hill YouTube channel soon.
- New York SeaGrant will be holding a workshop on managing floodplains and watershed on Wednesday, November 9 from 9:30 a.m. to 4:30 p.m. at Tailwater Lodge. Registration fee is \$30, and can be done online at tinyurl.com/nyseagrantnov9workshop
- The Tug Hill Commission has announced the date of the 2023 Local Government Conference, which will return to Turning Stone Resort and Conference Center on Thursday, April 6, 2023, with an optional afternoon session and evening reception on Wednesday, April 5.
- I have for you a copy of my comparison of Oswego County towns 2022 budgets in key categories. Please feel free to make additional copies for your officials. I hope you find it useful.
- I assisted the town bookkeeper with moving the town from the tentative to the preliminary budget.
- The Tug Hill Commission has arranged for Laird Petrie to conduct a two-day workshop on municipal accounting on November 29 and 30 at Tailwater Lodge, Altmar, New York. Preregistration is required by November 14, and there is a registration fee. I understand that enrollment is filling rapidly, so if you are interested in attending, registering sooner rather than later would be encouraged. I have a copy of the training announcement for your reference.

PLANNING BOARD:

Continue work on the comprehensive plan, August 24th minutes received.

BOARD OF APPEALS:

September 14th and September 28th minutes received.

BOARD INITIATIVES AND COMMENT:

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”)

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. D-2022, “A Local Law to Amend the Town of Constantia Land Development Law to Modify Certain Provisions Related to Site Plan Applications,” was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on June 6, 2022; and

WHEREAS, a public hearing was held on such proposed local law on October 18, 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. D-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. D-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. D-2022 as Local Law No. 4-2022 as follows:

**TOWN OF CONSTANTIA
LOCAL LAW 4-2022**

**A LOCAL LAW TO AMEND THE TOWN OF CONSTANTIA
LAND DEVELOPMENT LAW TO MODIFY CERTAIN PROVISIONS RELATED TO SITE PLAN
APPLICATIONS**

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

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The purpose of this Local Law is to modify certain provisions of the Town of Constantia Land Development Law related to site plan applications.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENT OF SECTION (SITE PLAN REQUIRED) OF ARTICLE 7 – SITE PLAN REVIEW.

Section 710 of Article 7 (Site Plan Review) of the Town of Constantia Land Development Law is hereby amended to read in its entirety as follows:

“All new land use activities, change of property classification or change in use of land, buildings or structures through the establishment of a new use, or through the expansion or enlargement of an existing use, shall proceed through a site plan review. Supporting data must be submitted for review and approval in accordance with the standards and procedures set forth in this law. No permit shall be issued by the enforcement officer, except upon authorization by and in conformity with an approved site plan.”

SECTION 4. AMENDMENT OF SECTION 745(5) “ENGINEERING PLANS” OF ARTICLE 7 – SITE PLAN REVIEW.

Section 745(5)(“Engineering Plans”) of Article 7 (Site Plan Review) of the Town of Constantia Land Development Law is hereby amended to read in its entirety as follows:

“5. Engineering Plans: Preliminary engineering plans including road improvements, drainage systems, and public or private sewer and/or water systems, and other such supporting data will be required.”

SECTION 5. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 6. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary 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.

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”)

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled 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,” was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on September 20, 2022; and

WHEREAS, a public hearing was held on such proposed local law on October 18, 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. E-2022 has previously been determined to be a Type II Action for purposes of SEQRA; and

WHEREAS, it is in the public interest to enact said Proposed Local Law No. E-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. E-2022 as Local Law No. 5-2022 as follows:

**“TOWN OF CONSTANTIA
LOCAL LAW NO. 5-2022**

**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**

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

SECTION 1. LEGISLATIVE PURPOSE AND INTENT.

The purpose of this Local Law is to amend Local Law No. 2007 to modify the schedule of eligibility for the partial tax exemption for real property owned by senior citizens pursuant to Real Property Tax Law §467.

SECTION 2. AUTHORITY.

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

SECTION 3. AMENDMENT OF SECTION 3 OF LOCAL LAW NO. 2-2007.

Section 3, Subparagraph (D.) of Local Law No. 2-2007 is hereby amended to read in its entirety as follows:

“(D.) Income Qualifications.

(a) The partial exemption to be granted hereunder shall be determined by the income of the owner or the combined income of the owners of the property for the income tax year immediately preceding the date of making application (hereinafter referred to individually or collectively as "income").

(b) Income tax year shall mean the twelve-month period for which the owner or owners filed a federal personal income tax return for the year before the income tax year immediately preceding the date of application.

(c) Where title is vested in either a husband or a wife, their combined income may not exceed the levels set forth in Section 4 or those levels adopted by resolution in accordance with Subsection A herein.

(d) Computation of income shall include Social Security and retirement benefits, interest, dividends, total gains from the sale or exchange of a capital asset which may be offset by a loss from the sale or exchange of a capital asset in the same income tax year, net rental income, salary or earnings, and net income from self-employment, but shall not include a return of capital, gifts, inheritances, and such other forms of income which are excluded under Real Property Tax Law § 467(3)(a), presently and as may be amended. Any such income shall be offset by all medical and prescription drug expenses actually paid by owner which were not reimbursed or paid for by insurance. The provisions of this paragraph notwithstanding, such income shall not include Veteran's disability compensation, as defined in Title 38 of the United States Code. In computing net rental income and net income from self-employment no depreciation deduction shall be allowed for the exhaustion, wear and tear of real or personal property held for the production of income.”

SECTION 4. AMENDMENT OF SECTION 4 OF LOCAL LAW NO. 2-2007.

Section 4 of Local Law No. 2-2007 is hereby amended in its entirety to read as follows:

“Until such time as the Town Board adopts a resolution determining the amount of exemption pursuant to Section 3, Subsection A of this law, real property owned by persons aged sixty-five years or older shall be granted a partial tax exemption according to the following schedule:

Annual Income of Owner(s)	Percentage of Assessed Valuation Exempted
Up to and include \$29,000.00	50%
\$29,000.01 to \$29,999.99	45%
\$30,000.00 to \$30,999.99	40%
\$31,000.00 to \$31,999.99	35%
\$32,000.00 to \$32,899.99	30%
\$32,900.00 to \$33,799.99	25%
\$33,800.00 to \$34,699.00	20%
\$34,700.00 to \$35,599.99	15%
\$35,600.00 to \$36,499.99	10%
\$36,500.00 to \$37,399.99	5%
\$37,400.00 and over	0%”

SECTION 5. SEVERABILITY.

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this Local Law shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this Local Law.

SECTION 6. EFFECTIVE DATE.

This Local Law shall be effective upon filing with the office of the Secretary 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.

TOWN OF CONSTANTIA LOCAL LAW NO. F OF 2022
("A Local Law Overriding the Tax Levy Limit Established
in General Municipal Law §3-c in the Town of Constantia")

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

WHEREAS, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. F-2022, "A Local Law Overriding the Tax Levy Limit Established in General Municipal Law §3-c in the Town of Constantia," was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on October 6, 2022; and

WHEREAS, a public hearing was held on such proposed local law on October 18, 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, Volume 6 N.Y.C.R.R., Section 617 of the Regulations relating to Article 8 of the New York State Environmental Conservation Law of New York (SEQRA), requires that as early as possible in the consideration of a proposed action, an involved agency shall make a determination whether a given action is subject to the aforementioned law; and

WHEREAS, on October 6, 2022, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. F-2022 is an unlisted action and will have no significant effect on the environment, issuing a negative declaration, thus concluding environmental review under State Environmental Quality Review Act; and

WHEREAS, it is in the public interest to enact said proposed Local Law No. F-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. F-2022 as Local Law No. 6-2022 as follows:

**"TOWN OF CONSTANTIA
LOCAL LAW NO. F OF 2022**

**A LOCAL LAW OVERRIDING THE TAX LEVY LIMIT ESTABLISHED
IN GENERAL MUNICIPAL LAW §3-C IN THE TOWN OF CONSTANTIA**

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

Section 1. LEGISLATIVE INTENT

It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the Town of Constantia, County of Oswego pursuant to General Municipal Law §3-c, and to allow the Town of Constantia to adopt a Town budget for (a) Town purposes; (b) fire protection districts; and (c) any other special or improvement district governed by the Town Board for the fiscal year 2023, that requires a real property tax levy in excess of the "tax levy limit" as defined by the General Municipal Law §3-c.

Section 2. AUTHORITY

This local law is adopted pursuant to Subdivision 5 of the General Municipal Law §3-c, which expressly authorizes the Town Board to override the tax levy limit by the adoption of a local law approved by a vote of sixty percent (60%) of the Town Board.

Section 3. TAX LEVY LIMIT OVERRIDE

The Town Board of the Town of Constantia, County of Oswego, is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

Section 4. SEVERABILITY

If any clause, sentence, paragraph, section, article or part of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operations to the clause, sentence, paragraph, section, article, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 5. EFFECTIVE DATE

This Local Law shall take effect upon filing with the Secretary 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.

DATED: October 18, 2022

MILL STREET PROJECT:

Mr. Colesante would like to update the board on the Mill St project. Mr. Colesante was finally able to find out who owns the point that the Town would like to upgrade. The Office of General Services (OGS) is the agency in charge of the property. The Town will need either a permit or lease the property to do the upgrade. Mr. Colesante has the name of the individual that the Town will need to contact. Mr. Tomaino should reach out to OGS to get the necessary paperwork needed, then contact Mr. Bardoun, Land Surveyor to survey to the mean high water mark. The mean high water mark will help with the design. More information to follow.

ADJOURN:

At 8:35 pm Mr. Metzger made the motion to adjourn, seconded by Mr. Colesante.

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