

TOWN OF CONSTANTIA  
MINUTES –TOWN BOARD – November 15, 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  
Dustin Clark, David Powers – Barton & Loguidice  
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:**

Mr. Mura – 44 Kellar Dr., Mr. Mura is a combat veteran and is a service officer for Trach Auringer Post 7325. The VFW is looking to purchase a standby generator, when getting quotes it was noted that the power to the building will also need some upgrades. As the VFW is noted in the Town of Constantia’s emergency preparedness plan as a designated critical community facility the installation of a backup generator would be a benefit to the community. For the emergency generator, installation and upgrades to the existing electrical total cost will be \$45,000. Mr. Mura is not asking for full funding but any financial help would be greatly appreciated.

Mr. Mura also mentioned the Hometown Hero’s Banner program that the Town is backing, Mr. Mura wanted to thank Mr. Tomaino at how fast the Town got the program running and how professional the meetings have been conducted.

Mr. Tomaino thanked Mr. Mura for attending the meeting, the board will discuss the request for funding at the next supervisor meeting on December 5<sup>th</sup>.

**WASTEWATER/WATER:**

Mr. Clark and Mr. Powers were 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 (CRRRA) requirements.
  - ✓ Negotiated subconsultant design proposal fees.
- Current Status:
  - Finalizing response to DEC regarding NY-2A application and CRRRA requirements.
  - Continue developing 50% plans and specifications.
- Future steps:
  - Execute agreements with subconsultants.

B. Grinder Pump Scope:

- Recent Work Completed
  - ✓ Five batches of inspection letters sent to a total of 491 properties.
  - ✓ **305/491 home inspections complete to date. 28 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 and residents who are leaving for the winter outside of the typical mailing schedule.
  - ✓ **245 easements have been signed and executed.**
  - ✓ **Additional mailing scheduled for next week for residents who have been notified twice, have received door hangers, and still have not contacted us to schedule their inspection.**
- 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

At the last supervisor's meeting there was a discussion on budget issues for the sewer district. At the current time engineering costs are the concern. The teams at Barton and Loguidice are reviewing each category to see where there could be savings. Mr. Clark and Mr. Powers created spread sheets to show the board where the District stands with funding. The first scenario is where the District stands today, the other scenarios breaks down what happens when grants are received. Two grants have been applied for, CDBG \$1.25M and \$5.4M from WQIP, the announcements should be coming shortly. There are a few other grant possibilities that the District will apply for when construction is underway. After further discussion, Mr. Tomaino said his and he believes the boards goal and hope would be to keep the edu charge at the original cost.

**COUNTY LEGISLATOR:**

Mr. Reehil told the board the County has completed the 1st draft of the 2023 budget, currently there is a \$.77 reduction per \$1,000. For 2022 the cost was \$6.95 per thousand for 2023 it is \$6.18. Mr. Reehil believes there will not be any major changes from this version.

Mr. Tomaino asked if the County is going after more ARPA funds, Mr. Tomaino is interested in closing the internet gap for the Town. Mr. Rehill is unsure if the County will be going after additional ARPA funds as he believes broadband funding is coming out of different funding opportunities. Onondaga County did just give out funding to close some of their gaps. Mr. Reehil will need to get more information.

The County is also preparing for Micron, they are making improvements to the industrial park. The park is located right off of NYS 481 a bulk of the project will be for infrastructure.

Mr. Colesante asked Mr. Rehill about property maintenance charges being re-levied onto the County tax bill. Mr. Hamacher indicated in his report the that County will reimburse charges left unpaid by property owners. Mr. Reehil did tell the board that a while back the County stopped this as Towns were taking advantage of the program. If it is stated in the local law that charges can be re-levied then the Town can bill back but Mr. Rehill is unsure at how what can be charged back. Mr. Bader said this issue is in the NYS Appeals court awaiting a decision, Mr. Bader will look at our local law for a resolution.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the October 13<sup>th</sup> budget meeting, October 18<sup>th</sup> public hearing and town board meeting and October 20<sup>th</sup> budget 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 #11 Dated November 15, 2022:

General	357-390	\$ 42,470.61
Highway	198-219	\$207,202.78
Sewer	45-58	\$136,756.25
American Recovery Plan	3	\$ 211.81

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 #3 for October 2022, account A9030.82 Medicare is over budget by \$60.03. I therefore make a motion to transfer \$60.03 from Contingency Account A1990.4 to replenish the over budget account, leaving \$85,129.78 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 October 31, 2022, seconded by Mr. Chapman.

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

**HIGHWAY:**

Mr. Woolridge reported:

- Plows are put together, the new truck will be here after the 1<sup>st</sup> of the year
- Beavers have been active, three removed from Martin Rd, heading to West Rd next
- Leaves, last day today – record year for leaves

- Filled out CHIPs paperwork will be receiving reimbursement 1<sup>st</sup> quarter next year
- Mr. Woolridge spoke to Mrs. Gilkey who has been patient on the placement of the bench for Mr. Gilkey. Mrs. Gilkey asked it could be placed by the Town Hall. Mr. Woolridge will pour a concrete base for the bench, this base and bench can be moved when the project on Mill St is completed.

Mr. Woolridge would like the board to give him authorization to purchase a roadside mower. This mower is on State Bid so no other bids are needed. Tracey Road Equipment has the tractor. After discussion Mr. Metzger made the motion to authorize Mr. Woolridge to order a roadside mower tractor for no more than \$130,000.00, seconded by Mr. Colesante.

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. Colesante.

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

**APPROVAL OF DEPARTMENT REPORTS:**

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

- Justice Pelon and Justice Simpson
- Town Clerk
- Dog Control
- Code Enforcement

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

**TUG HILL COMMISSION:**

Mr. Baxter has no written report for the board tonight but gave the board an informational handout on the Micron computer chip fabrication plant in Clay. Mr. Baxter will bring to the town hall more Tug Hill Recreation Guides and the Oswego County Fishing and Hunting Guide, they seem to go quickly. Mr. Baxter helped Ms. Butler – Bookkeeper with the 2023 preliminary and final budgets. Mr. Petre will be holding a municipal bookkeeping for Towns session, at the Tail Water, Mr. Tomaino, Mr. Chapman and Ms. Butler will be attending.

**PLANNING BOARD:**

Continue work on the comprehensive plan, hope to finish up this week. October 25th minutes received.

**BOARD OF APPEALS:**

October 16<sup>th</sup> there are two appeals on the schedule.

**LOCAL LAW G-2022:**

**Local Law No. G-2022**

(“A Local Law Updating the Code Enforcement Program In the Town of Constantia”)

Councilor Chapman introduced proposed Local Law No. G-2022 updating the Code Enforcement Program in the Town of Constantia and made the following Resolution, which was seconded by Councilor Colesante:

**WHEREAS**, proposed Local Law G-2022 has been introduced and will be considered for enactment pursuant to the provisions of the Municipal Home Rule Law and Town Law; 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, requires that as early as possible an involved agency shall make a determination whether a given action is subject to the aforementioned law; 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 (SEQR) with respect to the proposed enactment of said Local Law.

**NOW, THEREFORE, BE IT**

**RESOLVED AND DETERMINED** that there are no other involved agencies, the Town Board shall act as lead agency, and that the enactment of this proposed local law is a Type II action under SEQR, thus concluding the environmental review process; and be it further

**RESOLVED AND DETERMINED** that the Town Board conduct a public hearing as to the enactment of proposed Local Law G-2022 at the Town of Constantia Town Hall located at 14 Frederick Street, Constantia, New York on December 20, 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; and it is further

**RESOLVED AND DETERMINED** that notice of said public hearing shall be provided at least five (5) days prior to the date of said public hearing in a newspaper of general circulation within the Town of Constantia and to any affected municipalities described above.

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>
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<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.

**BUDGET 2023:**

COUNCILMAN: Colesante

Introduced the following and moved its adoption:

**RESOLUTION TO ADOPT FINAL BUDGET FOR FISCAL YEAR 2023**

- WHEREAS** the town of Constantia has completed its preliminary budget for the fiscal year of 2023; and
- WHEREAS** the town has properly advertised and made said preliminary budget available; and
- WHEREAS** the town has held a public hearing on the preliminary budget on November 10, 2022; and
- WHEREAS** the town has completed and filed its tax levy limit information with the New York State Comptroller; and
- WHEREAS** the town is in compliance with the applicable tax levy limit; and
- WHEREAS** the town board, having made any such necessary and permissible amendments to the preliminary budget subsequent to said public hearing;

**THEREFORE** be it declared that the town board of the town of Constantia does hereby adopt the same as the final budget for the fiscal year of 2023.

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
Thomas Moran	Voted	Yes
Ronald Chapman	Voted	Yes

The forgoing resolution was thereupon declared duly adopted.

**BOARD INITIATIVES AND COMMENT:**

Mr. Tomaino contacted NYSDOT out of Mexico about the dip on State Route 49 at the end of Redfield St. Mr. Tomaino has heard from residents that when heavy trucks go by they can feel their house vibrate. DOT is aware of the issue, they will be fixing the problem in the Spring.

Woodford Brothers gave an estimate to encapsulate the crawl space at the town hall. The estimate is \$38,581.64, while all board members are onboard with maintaining the town hall, Mr. Colesante believes to follow the procurement policy the Town should get two more bids. Mr. Tomaino will research to acquire the necessary bids.

Mr. Colesante told the board about a new task force that was created by the Gouverneur on flood mitigation. This task force was brought up because of the flooding on Cross Lake. They are discussing changing the rule curve which will substantially affect the water levels in Oneida Lake. Oneida Lake Association is involved, but this is something the Town will want to pay attention to.

**ADJOURN:**

At 8:52 pm Mr. Chapman made the motion to adjourn, seconded by Mr. Moran.

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