

TOWN OF CONSTANTIA
MINUTES –TOWN BOARD – February 20, 2024
6:00 pm Constantia Town Hall

Present: Frank Tomaino - Supervisor
Ronald Chapman, Michael Donegan, Thomas Moran, Daniel Poné – Council Members
Clare Haynes – Town Clerk
Wayne Woolridge – Highway Superintendent
Wendy Lougnot – Representing the Town in Mr. Bader-Town Attorney’s absence
Roy Reehil – County Legislator
Erin Zehr – Park and Recreation Commissioner
Dustin Clark – Barton & Loguidice
Paul Baxter – Tug Hill Commission

CALL TO ORDER:

At 6:00 pm Mr. Tomaino called the town board meeting to order with the pledge of allegiance.

PUBLIC COMMENT:

A resident who had some questions about the sewer district, has heard the project has been cancelled. Mr. Tomaino responded that the project has not been cancelled, unfortunately in the last round of grants the project did not receive additional funding. Mr. Tomaino explained because of this and the increasing cost of the project the Town Board has created a sewer advisory committee with hopes to re-imagine the project, what can be changed to push the project forward. Mr. Clark added the project with inflation has increased by 50%, but the funding has not. The project has gone through two rounds of funding, the results of the last round was just announced last week and as mentioned above no additional monies were granted. The sewer advisory committee will be chaired by a resident, Mr. Buchan. Mr. Buchan offered his services at no charge as he lives in the district, Mr. Buchan is an attorney and has experience with running sewer treatment plants. All board members want to see the district be successful, the problem is to get it completed at an acceptable cost. After continued discussion Mr. Poné made the motion to appoint Constantia resident, Mr. Murra and Councilman Chapman to the new sewer advisory committee seconded by Mr. Moran.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

WATER/WASTEWATER:

After the above discussion Mr. Clark wanted to update information from last meeting on public water for Auringer Rd. The study has been completed; the study did include Railroad St in Bernhards Bay. This extension is small increasing the cost, the original idea was to try and loop up County Route 23 to Grannis and incorporate part of West Monroe. West Monroe on County Route 11 has three mobile home parks that could add to the funding score. Mr. Tomaino will reach out to West Monroe Town Supervisor, Mr. Sundut to see if he has any interest in creating a district.

COUNTY LEGISLATOR:

Mr. Reehil updated the board:

- Two properties are up for back taxes, auction will be in May.
- County is hiring for many positions, civil service exams are being waived at this time.
- Putting together a training center for officers.
- Making improvements to the transit system, in the past riders had to pay or use vouchers. It is more cost effective to have people ride for free. There is an app coming out shortly for use similar to Uber.
- There are mini grant opportunities for the park, Ms. Zehr will reach out tomorrow.
- The County is updating their comprehensive plan.

Mr. Moran asked about the idea that the County will be running pipes down the trail to hook up to sewage treatment plants in both Fulton and Minetto. Mr. Reehil has heard about the plan, but it is at least 15 years away.

Mr. Tomaino received an email from Mr. Turner about gaps in broadband, Mr. Tomaino sent the information to Mr. Turner in the past. Do you think he needs it again, Mr. Reehil thinks it would be a good idea to reach back out to him.

VOUCHERS:

Mr. Donegan made the motion to accept the following vouchers as listed on Abstract #2 Dated February 21, 2024:

General:	38-80	\$20,204.19	Sewer:	3	\$ 1,583.75
Highway:	12-29	\$27,007.27	ARPA:	2	\$ 236.05
Trust and Agency:	2	\$14,464.15	NS Water:	2	\$367,877.00

Seconded by Mr. Moran.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

SUPERVISOR:

Mr. Moran made the motion to approve the supervisor’s report dated January 31, 2024 seconded by Mr. Chapman.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

MINUTES:

Mr. Chapman made the motion to approve the minutes of the January 16th, town board meeting, seconded by Mr. Poné.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

APPROVAL OF DEPARTMENT REPORTS:

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

- a. Justice Pelon and Justice Simpson
- b. Town Clerk/Tax Collector – Total Warrant turned over to the Town Supervisor
- c. Code Enforcement

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

PARK AND RECREATION:

Ms. Zehr reported:

- The date has been secured for fireworks and the military band at The David C. Webb Memorial Park at Taft Bay, it will be July 20th
- Park clean-up day is April 20th
- Will be reaching out to the County for a mini grant, will work with the Commission to get some ideas
- Mr. Tomaino asked about getting food trucks for the fireworks and military band, Mrs. Zehr will reach out to get more information. Mrs. Zehr is confident the ice cream vender will want to come back.

Mr. Chapman made the motion to appoint Jeff DeRienzo as Park Director and Recreational Leader for the summer recreation program, seconded by Mr. Poné.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

Mr. Tomaino has contacted Downtown Decorations for new holiday decorations, they are \$499 each, A7110.2 Parks Eq (Cap Improvement) will be charged for the purchase. Mr. Tomaino would like to purchase 20 Jasmine style lights. Mr. Chapman made the motion to purchase the lights as indicated above, seconded by Mr. Donegan.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes

HIGHWAY:

Mr. Woolridge reported:

- The Town took possession of the new chipper, was in use before the last snowfall.
- They have been doing general maintenance.
- Currently building stainless steel grates for the new plow truck.
- An advertisement will be put in the paper for the purchase of Veterans banners, they will be submitting another batch by the end of March.
- March 5th-6th the Oswego County Superintendents will be going to Albany to lobby on behalf of highway funding. There is talk about cutting funding by 25%, this will directly hurt the Town.

TUG HILL COMMISSION:

Mr. Baxter reported:

- The Tug Hill Commission, in conjunction with the Office of the State Comptroller, is hosting a municipal fraud prevention and detection workshop on **Thursday, February 29, 2024**, from 7:00 to 8:30 p.m. at the Boonville Municipal Building, and also via Zoom. Registration is required; registration can be done online at tinyurl.com/FraudFlags or by calling the commission office at 315-785-2380.
- The deadline is approaching for the regular registration rate for the **2024 Tug Hill Local Government Conference**, scheduled for May 1 – 2 at Turning Stone Casino. **The regular rate applies to those registered online or postmarked by April 1, 2024.** Rates increase starting April 2. The form is available on the Tug Hill website at <https://tughill.org/local-government-conference-registration>, Descriptions in detail of program offerings are available at: <https://tughill.org/local-government-conference-presentations/>
- The North Shore economic resiliency and recovery study held a steering committee meeting Wednesday, January 17, and a community meeting on the draft final report Tuesday, January 30, in Constantia. The report is currently receiving final edits. The most recent draft is available on the NorCOG website, norcog.org, under Projects and Reports.
- The **traffic study proposal for the Route 49 corridor**, extending from the west side of Central Square to east of I-81 is now in the comment period for the Syracuse Metropolitan Transportation Council's

(SMTC) Unified Planning Work Program (UPWP). The **comment period ends Wednesday, February 21**. Comments can be submitted via email to jdagostino@smtcmpo.org or postal mail to SMTC, Attn: James D'Agostino, 126 N Salina St, Suite 100, Syracuse, NY 13202. The work plan draft can be found on the SMTC's website at <https://smtcmpo.org/about-us/planning-process/upwp/>

- A **watershed plan** is being developed for the **Oneida Lake watershed**, and focus group meetings have been scheduled on watershed issues. The closest focus group meeting is being held on **Thursday, March 7 from 4:00 – 7:00 p.m.** at the West Monroe town hall, 46 County Route 11, West Monroe. I have copies of the flyer for you, for additional information.
- Following up a request from the town, I presented a sample municipal public meeting rules of conduct policy to the town board at its Tuesday, February 6 meeting.
- Reminder: the **Tug Hill Commission** is scheduled to meet in Pulaski on Monday, March 18 at 10:00 a.m., and in **Central Square** at the village hall on **Monday, May 10**.

CORRESPONDENCE:

-Letter received from Constantia Fire District #1, letting the board know they are interested in the building at 14 Frederick St for an upgraded fire station. A resident stood up to speak against the possibility of selling to the fire department, he believes it is more important to put this building back on the tax roll.

BOARD INITIATIVES AND COMMENT:

Dumpsters will be offered once again the first weekend in May 3rd to the 5th at both the highway garage and the town hall.

C2AE Architects sent in a bid for the first portion of the remodel of 1667 St Rt 49. The first phase is for conceptual drawings, \$13,500. Mr. Tomaino has reached out to five other companies with no response. Mr. Chapman has spoken to another firm, Mr. Chapman would like to table this for a month, it would be nice to get another bid. All agreed.

Mr. Baxter gave Mr. Tomaino a copy of the Rules of Conduct and Decorum at Public Meeting from the Town of Parish, Ms. Lougnot has reviewed and has no problem with the document. Mr. Tomaino would like to adopt these rules, with no further discussion, Mr. Moran made the motion to approve the Town of Constantia Rules of Conduct and Decorum, seconded by Mr. Chapman. Full policy is as follows:

Town of Constantia

Rules of Conduct and Decorum at Public Meetings

Whereas, the New York State Open Meeting Law (Article 7, Public Officers Law) gives members of the public the right to attend meetings of public bodies but does not give the public the right to speak or otherwise participate at those meetings, except at public hearings and under other limited circumstances, and

Whereas, New York State Town Law authorizes a town board to enact rules and regulations regarding the conduct of public meetings and public hearings conducted by the town board, and the New York State Committee on Open Government has agreed that a public body can adopt reasonable rules that treat members of the public equally, and

Whereas, the Committee on Open Government has stated that any such rules could serve as a basis for preventing verbal interruptions, shouting or other outbursts, as well as slanderous or obscene language or signs, and that a town board could regulate actions of the public attending meetings so as not to interfere with meetings or prevent others in attendance from observing or hearing the deliberative process, and

Whereas, a town board has a responsibility to insure that everyone has the right to participate in a public hearing and therefore can reasonably limit the length and general nature of public comments to the subject of the public hearing so that a town board can consider various points of view, and

Whereas, a town board can limit other comments from the public at town board meetings to a specific time set in the agenda for public participation and comment. Now, therefore, be it resolved by the Town Board of the Town of Constantia that the Town hereby adopts the following rules for meetings of the Town Board:

Public Comment Period and Public Hearings

1. The Town Supervisor, or in their absence, the Deputy Supervisor, is the Chair of every Town Board Meeting. Should both the Supervisor and Deputy Supervisor be absent, then the Town Board shall select a Temporary Presiding Officer.

2. Except for public hearings duly designated as such by action of the Town Board, public participation at meetings of the Town Board shall be limited to the public participation segment of the agenda of Town Board meetings and not at Town Board Work Sessions.

3. Public comment, whether during the public participation segment of the Town Board meeting or during a duly designated public hearing, shall be limited to three minutes per person. An individual's time may not be given or traded to other speakers or reserved for other portions of the meeting.

4. The Chair shall act as timekeeper or shall designate another elected official as timekeeper.

5. Any person wishing to speak at a public meeting during the public participation segment or during a public hearing must sign in upon entering the room, when such sign-in sheet is available, indicating his or her intention to speak, which sheet will be used by the Chair to recognize speakers.

6. Any individual wishing to speak during the public participation segment or during a public hearing when a sign-in sheet is not available shall raise his or her hand. When recognized by the Chair, the individual must stand, if physically possible, and state his or her name and, if appropriate, group affiliation.

7. Comments must relate to the purpose of the public hearing or to legitimate town business.

8. The Chair, shall determine if the matter being discussed is Town business. Examples of things that are *Not* Town business, include, but are not limited to: private property matters; Village, County, State or Federal issues that do not affect the Town and litigated matters that have been settled to the Town's satisfaction.

9. Members of the Town Board, speakers and audience members must observe proper decorum. Any statements made during the meeting or during a public hearing by the Supervisor, members of the Town Board, town officials or employees, or members of the general public shall not involve personal, impertinent, or slanderous attacks on individuals, regardless of whether the individual so attacked is an elected official, a town official or employee, or a member of the general public.

10. The Chair shall control the meeting. The use of profane, vulgar, inflammatory, threatening, abusive, or disparaging language or racial or ethnic slurs directed at the Supervisor, members of the Town Board, town officials or employees and members of the general public, or statements by a person attending the meeting which are not made during the public participation segment of the agenda or during a public hearing, shall not be tolerated.

11. It is inappropriate to utilize a public meeting for the purpose of making political speeches, including threats of political action and the same will not be allowed.

12. Comments by speakers must be addressed to the Town Board. Attendees may not address the Town Board unless recognized by the Chair.

13. Discussion between speakers and attendees of the public meeting or hearing are prohibited. A speaker may disagree with or support prior speakers in comments directed to the Town Board.

14. Banners, flyers or other signs are not permitted in the meeting room; distribution of flyers in the meeting room is also not permitted.

15. No member of the public shall engage in any demonstration, booing, hand clapping, or otherwise disrupt the formality of a town board meeting.

16. If a speaker who has violated these rules refuses to step down, the Chair may ask for the individual to be removed from the meeting room and charged with disorderly conduct or trespassing as per the Penal Law.

17. If the Chair fails to enforce the rules set forth above, any member of the Town Board may move to require him or her to do so, and an affirmative vote of a majority of the Town Board shall require him or her to do so. Any decision relating to enforcement of the rules set forth above may be appealed and overturned by a vote of a majority of the Town Board members.

Town Board

1. Town Board members must be recognized by the Chair before making motions and speaking.

2. A member, once recognized, shall not be interrupted when speaking unless to call the member to order. If a member, while speaking, is called to order, such member shall cease speaking until the question of order is determined, and, if in order, such member shall be permitted to proceed.

3. There is no limit on the number of times a member may speak on a question.

4. A member may, with permission of the Chair, interrupt a speaker during their remarks, but only for the purpose of clarification and information.

5. All members shall refrain from personal attacks, personal accusations, irrelevant or unduly repetitious communications or other disruptive behaviors that actually disrupt, disturb or impede the orderly conduct of the business of the Board.

6. The above rules shall take effect at the next meeting of the Town Board after the adoption of these rules.

Nothing contained herein shall be construed to limit the rights and responsibilities of a Town Board to conduct meeting under the Laws of the State of New York and the United States of America. Through these rules, it is the intent of the Town Board to offer general guidelines that may make attending Town Board meetings convenient for the public, fair to all Board Members and, above all else, essential for open, transparent and effective local governance.

PUBLIC COMMENT:

A resident asked if there was anything the Board could do about the price of Spectrum, it just keeps going up. It is believed the public service commission is the agency responsible for approval of increase rates.

ADJOURN:

With no other discussion, Mr. Donegan made the motion to adjourn, seconded by Mr. Poné.

Carried: Moran – Yes Chapman – Yes Poné – Yes Donegan – Yes Tomaino – Yes