

TOWN OF CONSTANTIA
MINUTES –SPECIAL MEETING OF THE TOWN BOARD – May 14, 2024
11:00 am Constantia Town Hall

Present: Frank Tomaino – Supervisor
Ronald Chapman, Thomas Moran, Daniel Poné – Council Members
Clare Haynes – Town Clerk
Warren Bader – Town Attorney
Bill Buchan and John Mura – Sewer Advisory Board
Dustin Clark and David Powers – Barton & Loguidice

Absent: Michael Donegan – Council Member

CALL TO ORDER:

At 11:00 am Mr. Tomaino called the supervisor’s meeting to order with the pledge of allegiance

PURPOSE:

Mr. Tomaino called this meeting to discuss the letter (received May 6, 2024) from the Village of Cleveland withdrawing from the joint sewer district.

APPOINTMENT:

Before discussion on the sewer district, Mr. Tomaino told the board that the secretary Mrs. Amy Connolly for the board of appeals, planning board and zoning commission needs to step down for 6 months. Mr. Tomaino would like to appoint Mrs. April Tomaino as temporary secretary in her absence. With no discussion, Mr. Chapman made the motion to appoint Mrs. Tomaino to the temporary position as secretary to the boards as listed above, seconded by Mr. Moran.

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

WASTEWATER:

As mentioned above this meeting was called to discuss the letter received from the village of Cleveland dated April 26, 2024: re: Notice of Termination of the Intermunicipal Agreement for Construction, Financing and Sewer Service between the Town of Constantia and the Village (the “IMA”). Mr. Bader stated that the Village saying they can leave with no penalty is not accurate. Discussion turned to possible legal action against the Village. Mr. Poné stated that the board can’t just ignore this, there will be additional monies spent for the District because of their termination. The residents in the district need to know that we are looking out for them. Mr. Poné thinks a letter should be sent to put them on notice. Mr. Bader responded that we have six years but would like to get something out sooner rather than later. Mr. Tomaino would like to know how much is at stake monetarily that the District has expended because of the IMA. Mr. Clark responded that it was substantial, design efforts alone for the plant, he does not have the figure but can and will get numbers together. Mr. Poné asked if the collection system will change, Mr. Clark responded that there will be some reconfiguring that will need to be done, but much of the design can still be used. Mr. Tomaino requested Mr. Clark get the figures together as requested, Mr. Bader will respond with a letter to the Village.

Putting aside what legal action the Town will be taking against the Village, Barton & Loguidice still needs to know in what direction the Town would like them to take. Do you want to move forward, if yes the most important decision will be to find a new location for a treatment plant. June 2025 will be the next funding cycle for this project, as there has been a significant change there will be many actions the board will need to take before an application can be submitted. It will be a must to work with DEC to find that new location and then ask for a new 2A SPDES (State Pollutant Discharge Elimination System) permit. Mr. Clark and Mr. Powers have been in contact with DEC, they know the Village has sent the letter of termination, they will be helpful in selecting a new site. The board members do want to move forward, the question is what can be salvaged from the design currently in place. A substantial amount of the design will and can be salvaged, survey’s, easements and a substantial portion of the collection system will be used. Again, a new location is the very first step in the process, Mr. Colesante reminded the board of the park situated behind the highway department. This property is 14.66 acres that is bordered by the highway department, a cemetery and the County trail which has access to St Rt 49. Another location is on Kibbie Lake Rd, a little over 6 acres that borders a different town park of 20 acres and the town did just purchase 1667 St Rt 49 which is about 4.5 acres but not sure if this is a location that could be used. Mr. Clark and Mr. Powers will investigate these parcels.

Mr. Tomaino asked if Barton & Loguidice will be willing to help, not sure how far into debt the district should go. Mr. Clark said they have already put their money on the line, will have to review their records for the exact amount.

BAN DOCUMENTS:

Because of the increase in funding potential the Town moved forward with a BAN (Bond Anticipation Note) for \$2.5M to give back grants that were already received. Once the grant money is returned, the district can re-apply for the additional monies. With this in mind, Mr. Moran made the motion to authorize Supervisor Tomaino to sign all documents related to the recent BAN, seconded by Mr. Chapman.

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

ADJOURN:

At 12:11 pm the meeting was adjourned.

Respectfully submitted: *Clare Haynes, Town Clerk*