

TOWN OF CONSTANTIA
MINUTES – PUBLIC HEARING AND TOWN BOARD – April 18, 2023
6:45 & 7:00 pm Constantia Town Hall

Present: Frank Tomaino – Town Supervisor
Ronald Chapman, Richard Colesante, John Metzger, Thomas Moran – Council Members
Clare Haynes – Town Clerk
Wayne Woolridge – Highway Superintendent
Warren Bader – Town Attorney
Roy Reehil – County Legislator
Dustin Clark – Barton & Loguidice
Paul Baxter and Heidi Tompkins – Tug Hill Commission

CALL TO ORDER:

At 6:45 pm Mr. Tomaino called the public hearing to order with the pledge of allegiance.

PUBLIC HEARING:

The purpose of this public hearing is to hear any comments on proposed Local Law A of 2023 - A Local Law Providing for a Tax Exemption on Real Property Owned By Members of Volunteer Fire Companies and Volunteer Ambulance Services In the Town of Constantia. This law would give a 10% property tax deduction on the assessed value of the primary property owned by the volunteer, this does exclude any special districts.

Mr. Charles Gibbs was in attendance, he wanted to speak in support of the local law, Mr. Gibbs is a fire commissioner for the Constantia Fire District. As many people know there is a shortage of volunteers and any program that might help keep and attract new members is welcome. Mr. Metzger is in hopes that both the County and the School district will also participate in the new exemption. Mr. Baxter told the board this subject is on their agenda for Thursday, hopefully Mr. Reehil will be in later to update the board.

At 7:00 pm with no more discussion, Mr. Metzger made the motion to close the public hearing and open the monthly town board meeting, seconded by Mr. Chapman.

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

NORTH SHORE AMBULANCE:

Mr. Tomaino asked Mr. Morris, Operations Manager for North Shore Ambulance to attend the meeting tonight to discuss the new initiative the ambulance is embarking on. Mr. Morris told the board that at the end of March North Shore started doing non-emergency transport. By offering non-emergency transports the ambulance is trying to bolster staffing. As North Shore is located in a rural area it is sometimes difficult to attract qualified personnel. Mr. Morris assured the board that the 911 ambulance will still be available for local residents. Mr. Morris indicated that the ambulance only accepts on the average one transport a day, the transports can be as far as New York City.

Mr. Metzger asked about overhead, cost of maintenance down the road is that being considered. Yes, they do not have to take the transport, numbers are run to see if it makes sense before they accept. Mr. Morris responded that they only get paid what Medicare/Medicaid pay, what makes it profitable is mileage. When they have the extra personnel to run a transport, once the transport is completed and the personnel are back they stay until the end of the shift. This is attractive to new employees.

Mr. Colesante asked about the second ambulance, the Town has been told that two ambulances are necessary, is this no longer the case? Mr. Morris replied that it is important to have both ambulances if one ambulance breaks there needs to be another one available. If that happens, there will be no transports until both ambulances are back in working order.

Mr. Moran asked if they will be decreasing the \$287,000 North Shore currently requests from the Town of Constantia, Mr. Morris stated they are doing the transports to stop the increases.

Members from North Shore also in attendance were Mr. Denney and Mr. James both added to the conversation that it is understandable that this is new and worrisome, but it needs to be explored. It also must be stated that if it does not work, they can go back to business as usual.

At 7:26 pm Mr. Tomaino thanked them for coming to discuss the new program.

WASTEWATER:

Mr. Clark updated the Board with the following report, new items are in bold.

Constantia North Shore Sewer Project

A. WWTP Scope:

- *Recent Work Completed*
 - ✓ Submitted response to DEC regarding NY-2A application on December 16, 2022.
 - ✓ Coordination with vendors for alternate treatment technologies.
 - ✓ Compressed footprint of sludge handling building to reduce construction cost.
 - ✓ Drafted combined headworks and ATB to reduce construction cost.
 - ✓ Execute agreements with subconsultants.

- ✓ **Compared plans to recent bid results to update cost estimate.**
 - Current Status:
 - Finalizing 60% design plans and basis of design report.
 - Continue developing specifications.
 - Future steps:
 - **Submit 60% plans to Town, DEC, and Village for review in May.**
- B. Grinder Pump Scope:
 - Recent Work Completed
 - ✓ **391/871 home inspections complete to date.**
 - ✓ 282 easements have been fully signed and executed by the Town.
 - ✓ Developed preliminary layouts for large uses (marinas, trailer parks, etc.)
 - ✓ All title searches received to date.
 - ✓ Alternative layouts for large users (marinas, trailer parks, etc.)
 - ✓ **Letter sent to “Constantia 13” regarding grinder pump replacement.**
 - Current Status:
 - **Home inspections have resumed 6 days/week.**
 - Finalizing 60% design plans and specifications
 - Continue sending easements in batches of 15 to Town for signature and filing.
 - Updating cost estimate based on recent bid numbers and quantities identified to date.
 - Future steps:
 - **Submit 60% plans to Town and DEC for review in May.**
 - Standardization and pre-purchase Agreement for Grinder Pumps.
- C. Forcemain and Pump Station Scope:
 - Recent Work Completed
 - ✓ Preliminary DOT feedback incorporated into plan set.
 - ✓ Meeting with E-One regarding forcemain sizing for new alignment.
 - ✓ Revised Drawings with DOT feedback submitted for further DOT review.
 - ✓ Wetlands and DEC 100 ft. adjacent areas incorporated into environmental review set.
 - ✓ Stream crossing profiles incorporated into plan set.
 - Current Status:
 - **Finalizing 60% plans and specifications**
 - Waiting for additional DOT comments on revised plan set.
 - Updating quantity takeoff and estimate based on recent bid results.
 - Future steps:
 - **Submit 60% plans to Town and DOT for review in May.**
- D. Funding, Permitting, and Other Items:
 - Recent Work Completed
 - ✓ NYSDEC WQIP Grant Application submitted July, 2022
 - ✓ CDBG Awarded on November 16, 2022 for max \$1,250,000.
 - ✓ CDBG Grant Agreement Executed on January 12, 2023
 - ✓ NYSDAM (NYS Department of Ag & Markets) coordination for OCR sign off.
 - ✓ Mercury exclusion and WTC coordination with DEC for NY-2A.
 - ✓ Amendment No. 1 authorized.
 - ✓ Submitted funding application for Schumer and Gillibrand FY23
 - ✓ B&L attended E-One Factory training with Town Highway at E-One Factory.
 - ✓ Submitted funding application for Claudia Tenney’s FY23 CFP appropriations list for \$4M.
 - ✓ Preliminary discussion with legal and bond counsel for increase bond resolution.
 - ✓ **Debrief call with DEC confirmed project is eligible for another \$10M in grant!**
 - ✓ **Project was endorsed through CPF by Claudia Tenney for \$4M in grant!**
 - Current Status:
 - Review of DEC Model Sewer Use Law is ongoing.
 - Coordinating fieldwork with archaeological subconsultant. Expected to start in late March, weather dependent.
 - Program changes to CDBG program may require Town to resubmit grant.
 - Working with UDSA RD on National Pooling availability.
 - Future steps:
 - Follow up call with Bond counsel for increase bond resolution.
 - Comptroller approval process may be necessary with increased bond resolution.
 - B&L coordination with EFC regarding other funding options

Mr. Chapman asked about the grants that the project did not receive, can they find out why our project was not awarded any monies. Mr. Clark responded that they do not tell why it was not awarded or even how much it was scored. The good news is as indicated above that the project is eligible for an additional \$10M.

Discussion turned to the cost of the project, it is now a \$60M dollar project, but the good news is that there are additional grants available that they will be going after. Mr. Bader stated that it was a \$40M project now it is \$60M that all can't be attributed to inflation. Mr. Clark stated that they are using actual bids of

current projects, it is hard to tell what is driving up the prices. Every project is struggling with cost overruns, but Mr. Clark wanted to remind the board that the goal is to still bring the project in at the target service charge of \$976.

Mr. Corsette – Kibbie Lake Rd was in to ask questions on the Sewer Law that mandates residents hook up to the sewer district. The sewer law has not been passed yet, the board did pass a resolution that mandates that all properties hook to the new sewer system. Mr. Tomaino responded that once the district is complete there will be no septic tanks allowed, when it comes by your property it makes sense to hook up to the system. If you do not at this time you will be financially responsible to hook up on your own when your private system fails. You will still be paying the debt service on your Town and County tax bill for the sewer district.

PARK AND RECREATION:

Ms. Zehr:

- Earth Day is this Saturday, 10am at the park if anyone is interested.
- Mrs. Lewis has found lifeguard training for employees that need it.
- June 11th the swimming lines will be put in.
- Working on a grant with Shineman Foundation for a pickleball court.
- Soccer had disbanded, they have donated the storage building to the park.
- July 22nd the military band will be at the park, the Boy Scouts will be handing the concession stand.

COUNTY LEGISLATOR:

Legislator Reehil:

- Public hearing on the Volunteer Fireman and Ambulance exemption it will be a 10% deduction on the assessed value of the volunteers residents, this does exclude special districts. Mr. Reehil believes you must be a member for 5 years before the exemption can be applied. Mr. Metzger told Mr. Reehil the Town’s proposed local law states a 2 year membership, Mr. Reehil will review the one at the County, it would be best to have both the same, Mr. Metzger agreed as that was the goal.
- At last months meeting Mr. Reehil was asked about the asphalt plant, the plant was hit by lighting. Insurance will help pay for repairs and there will be upgrades. Majority Leader House would like to speak to Mr. Woolridge with his concerns on the price difference and the quality of the asphalt the plant supplied. Mr. Woolridge would like to be able to work with the County for the benefit of both municipalities.
- Another question asked at last month's meeting was about mental health and substance abuse treatment in Oswego County, Helio Health does have services available.
- County auction is May 8th again this year it will be online only. There are 5 properties in Constantia and 82 overall in the County.
- The County passed resolution opposing the banning the use of natural gas stoves in New York State.

MINUTES:

Mr. Moran made the motion to accept the minutes of the March 21st town board meeting and the April 3rd supervisor’s meeting, seconded by Mr. Chapman.

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 #4 Dated April 18, 2023 which have been approved by the Town Board and authorized for payment:

| | | |
|---------------|---------|--------------|
| General Fund: | 110-144 | \$ 18,720.51 |
| Highway | 56-79 | \$ 81,349.56 |
| Sewer | 31-34 | \$124,849.58 |
| ARPA | 3 | \$ 52,500.00 |

Seconded by Mr. Metzger.

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

SUPERVISOR:

Mr. Moran made the motion to approve the supervisor’s report dated March 31, 2023, seconded by Mr. Colesante.

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

HIGHWAY:

Mr. Woolridge reported:

- All trucks have been changed over.
- Dirt road have been graded.
- New dump/snow plow truck has been registered, Mr. Cottet has been driving the truck and likes the way it runs. Mr. Woolridge will be requesting authorization to purchase another truck as it takes two years to receive.
- Cutting trees.

- Working on Saunders Drive as it will be paved this year. Asphalt plant will be opening May 1st.
- Still waiting on the State to pass their budget to see if CHIPs, Pave NY and Winter Recovery programs are included.
- Mr. Mike Whitney is back working at the park.
- On schedule to pave the park the 2nd week of May.
- Vac truck has been registered, ready for pick up next Monday.
- Salt Road has one speed limit sign missing, it will be replaced.
- Salt bill was \$51,000 it will be increasing to \$63 a ton next year.
- Hardware for the new banners have been received, the plan is to have the banners up by Memorial Day and take them down after Labor Day.

Mr. Metzger made the motion to approve the highway superintendent's report as given, seconded by Mr. Colesante.

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

Mr. Chapman made the motion to authorize Mr. Woolridge to order a 2025 International truck for \$208,000, this truck is on State Bid, seconded by Mr. Moran.

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

APPROVAL OF DEPARTMENT REPORTS:

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

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

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

TUG HILL COMMISSION:

Mr. Baxter reported:

- I am pleased tonight to have the opportunity to present the newest associate circuit rider serving the North Shore Council of Governments, in conjunction with the Salmon Rivers Council of Governments, and other Tug Hill Councils of Governments as time permits. Her name is Heidi Tompkins, of Redfield, and she was profiled in the March 24, 2023 Tug Hill Times.
- The next meeting of the North Shore Council of Governments is scheduled for Wednesday, May 3, 2023 at 7:00 p.m. at the West Monroe town hall.
- I have for you a print copy of the Tug Hill Commission issue paper with an analysis of the 2020 U.S. Census results, available on the Tug Hill web site:
<https://tughill.org/publications/technical-issue-papers/>
Constantia's population of 4,778 is down 195 from 2010 to 2020. The median age is 47, the median income is \$72,778 and 11% are below the poverty level.
- It's that time again! Every five years, the Tug Hill Commission conducts a survey of our municipal local leaders, including chief electeds, clerks, and public works chiefs. Your participation is essential to provide the feedback and direction Tug Hill needs to continue serving your needs to the highest degree possible. Our program is driven by direction provided by *you*.
At this point, the surveys should have been mailed out. And new this year – local officials will be able to respond on a paper copy, which will be mailed, *or* online, on a web link the letter will provide. Thank you in advance for your participation!

CORRESPONDENCE:

Letter received from Senator Mannion in favor of taxing state lands.

PLANNING BOARD:

- a) Public hearing on Comprehensive Plan May 2nd at 6:30 pm and May 16th at 6:45 pm, possible approval by the board following the May 16th public hearing.
- b) March 28th minutes received.

BOARD INITIATIVES AND COMMENT:

Gateway sign has been damaged, Mr. Tomaino would like authorization to purchase a new and bigger sign, the new sign would be 4x8, this sign will have 6x6 posts. After discussion Mr. Metzger made the motion to authorize Mr. Tomaino to order the new 4x8 sign for \$1,920., seconded by Mr. Colesante.

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

Mr. Tomaino reached out to Ms. Gailinas from iHeart Oswego who manages our Town website, to create and administer a Facebook page for the Town. This will be an informational page only with no comments. Ms. Gailinas proposal is \$1,190 for 18 months. This will be a good compliment to the Towns webpage. With no more discussion, Mr. Chapman made the motion to move forward with the new Facebook page administered by iHeart Oswego, seconded by Mr. Metzger.

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

PROPOSED LOCAL LAW 1-2023:

LOCAL LAW NO. A OF 2023

(“A Local Law Providing for a Tax Emption on Real Property Owned By Members of Volunteer Fire Companies and Volunteer Ambulance Services In the Town of Constantia”)

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. A-2023, titled “A Local Law Providing for a Tax Emption on Real Property Owned By Members of Volunteer Fire Companies and Volunteer Ambulance Services In the Town of Constantia,” was presented and introduced at a regular meeting of the Town Board of the Town of Constantia held on March 21, 2023; and

WHEREAS, a public hearing was held on such proposed local law on April 18, 2023, 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. A-2023 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. A-2023.

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. A-2023 as Local Law No. 1-2023 as follows:

**“TOWN OF CONSTANTIA
LOCAL LAW NO. 1 OF 2023**

**A LOCAL LAW PROVIDING FOR A TAX EXEMPTION ON
REAL PROPERTY OWNED BY MEMBERS OF VOLUNTEER FIRE
COMPANIES AND VOLUNTARY AMBULANCE SERVICES
IN THE TOWN OF CONSTANTIA.**

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

Section 1. Short Title.

This local law shall hereafter be known as the Town of Constantia Real Property Tax Exemption for Volunteer Firefighters and Volunteer Ambulance Workers in the Town of Constantia.

Section 2. Intent and Purpose.

By local law, the Town Board seeks to provide a tax exemption on real property owned by members of volunteer fire companies and voluntary ambulance services in the Town of Constantia.

Section 3. Exemption Granted; Amount.

Real property which is the primary residence of and is owned by an enrolled member of an incorporated volunteer fire company, fire department or incorporated volunteer ambulance service, or such enrolled member and spouse residing in the Town of Constantia, shall be exempt from taxation in accordance with § 466-a of the Real Property Tax Law, such exemption to be limited to 10% of the assessed value of the property, exclusive of special assessments.

Section 4. Eligibility Requirements. Such exemption shall be granted to an enrolled member of an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service provided that:

- A. The property is owned by the volunteer firefighter or volunteer ambulance worker;
- B. The property is the primary residence of the volunteer firefighter or volunteer ambulance worker;
- C. The property is used exclusively for residential purposes;

- D. The volunteer firefighter or volunteer ambulance worker resides in the Town of Constantia and the Town of Constantia is served by such incorporated volunteer fire company or fire department or incorporated voluntary ambulance service;
- E. The volunteer firefighter or volunteer ambulance worker is certified by the authority having jurisdiction as an enrolled member of such an incorporated volunteer fire company, fire department, or incorporated voluntary ambulance service; and
- F. The volunteer firefighter or volunteer ambulance worker meets the minimum service requirement established by Town of Constantia, which is hereby established as 2 years.

Section 5. Qualifications for Lifetime Exemption.

Any enrolled member of an incorporated volunteer fire company, fire department or incorporated voluntary ambulance service who accrues more than 20 years of active service, and is so certified by the Town of Constantia, shall be granted the ten-percent exemption as authorized by this Local Law for the remainder of his or her life as long as his or her primary residence is located within the town.

Section 6. Application Process/Certification.

An applicant for the exemption provided for hereunder shall file an annual application with the Town of Constantia Assessor, on a form prescribed by the New York State Board of Equalization and Assessment. The application must be filed on or before the taxable status date. The Town of Constantia must maintain written guidelines, available upon request, as to the requirements of an enrolled volunteer member relating to this exemption.

The Town of Constantia must annually file with the assessor, prior to the applicable taxable status date, a list of the active volunteer members who are certified to meet the minimum service requirement. Such list must provide, as of the applicable taxable status date, the number of years of service served by each such enrolled member and such enrolled member's address of residence.

Section 7. Effect on Current Benefits.

Any applicant who is a volunteer fire fighter or volunteer ambulance worker and who by reason of such status is receiving any benefit under the provisions of New York State Tax Law Article 4 on the effective date of this local law shall not suffer any diminution of such benefit because of the provisions of this local law.

Section 8. Amendments.

In the event the New York State Legislature enacts any provision authorizing adoption of greater or expanded real property tax exemption benefits for volunteer fire fighters or ambulance workers qualifying hereunder, the provisions hereof may be amended by resolution of the Town Board in order to implement any such greater or expanded benefits.

Section 9. Severability.

If any clause, sentence, paragraph, subdivision, section or part of this local law or the application thereof to any person, individual, corporation, firm, partnership, entity or circumstances is adjudged invalid or unconstitutional by any court of competent jurisdiction, such order or judgment shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this law or in its application directly involved in the controversy in which such judgment shall have been rendered and shall not affect or impair the validity of the remainder of this local law or the application thereof to other persons or circumstances. Further, in adjudging such invalid provision, the court shall attempt to modify same to a provision which is not invalid or unconstitutional and which best achieves the intent of the invalid provision.

Section 10. Effective Date.

This Local Law shall take effect immediately upon its filing in 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 | Abstain |
| Richard Colesante | Councilor | Voted | Yes |
| Ron Chapman | Councilor | Voted | Yes |
| Frank Tomaino | Supervisor | Voted | Yes |

The foregoing resolution was thereupon declared duly adopted.

EXECUTIVE SESSION:

At 8:31 pm Mr. Colesante made the motion to go into executive session to discuss an employee issue, seconded by Mr. Metzger.

Carried: Moran – Yes Chapman – Yes Colesante – Yes Metzger – Yes Tomaino – Yes
*Mrs. Haynes did not go into executive session.

ADJOURN:

At 9:30 pm with no decisions made during executive session, Mr. Tomaino made the motion to reopen and adjourn the town board meeting, seconded by Mr. Chapman.

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