

TOWN OF CONSTANTIA  
**MINUTES – PUBLIC HEARING AND TOWN BOARD – October 17, 2023**  
6:45 pm and 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  
Warren Bader – Town Attorney  
Wayne Woolridge – Highway Superintendent  
E. John Whitney – Deputy Highway Superintendent  
Roy Reehil – County Legislator  
Erin Zehr – Chair, Park and Recreation Commission  
Paul Baxter – Tug Hill Commission  
Dustin Clark and David Powers– Barton & Loguidice

**CALL TO ORDER:**

At 7:00 pm Mr. Tomaino called the public hearing and town board meeting to order with the pledge of allegiance.

**PUBLIC HEARING:**

The purpose of this public hearing is to hear any concerns on proposed Local Law B-2023, A Local Law Overriding the Tax Levy Limit Established in General Municipal Law 3-c in the Town of Constantia.

Mr. Bader read the following resolution into the minutes.

**TOWN OF CONSTANTIA  
TOWN BOARD RESOLUTION**

**October 17, 2023**

**TOWN OF CONSTANTIA LOCAL LAW NO. B OF 2023  
("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 Chapman, who moved its adoption, seconded by Councilor Colesante, to wit:

**WHEREAS**, pursuant to the provisions of the Municipal Home Rule Law, a proposed local law titled Local Law No. B-2023, "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 supervisor's meeting of the Town Board of the Town of Constantia held on October 5, 2023; and

**WHEREAS**, a public hearing was held on such proposed local law on October 17, 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**, 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 5, 2023, the Town Board declared itself lead agency and determined that the enactment of proposed Local Law No. B-2023 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. B-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. B-2023 as Local Law No. 2-2023 as follows:

**"TOWN OF CONSTANTIA  
LOCAL LAW NO. 2 OF 2023**

**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 2024, 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 2024 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.”

With no public comment Mr. Chapman made the motion to approve the law as read by Mr. Bader, seconded by Mr. Colesante.

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>
<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.

**DATED: October 17, 2023**

At 7:00 pm Mr. Colesante made the motion to close the public hearing and open the regular meeting of the Constantia Town Board, seconded by Mr. Moran.

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

**WASTEWATER:**

**Constantia North Shore Sewer Project**

**A. WWTP Scope:**

- Recent Work Completed
  - ✓ 60% Plans delivered to Town June 28, 2023
  - ✓ Updated treatment plant O&M costs
- Current Status:
  - DEC submission
  - Subconsultants on pause for design phase services
- Future steps:
  - Final design, preparation of bid set contingent upon Town authorization

**B. Grinder Pump Scope:**

- Recent Work Completed
  - ✓ 643 home inspections complete to date
  - ✓ 521 easements have been fully signed and executed by the Town
  - ✓ 60% Plans delivered to Town June 28, 2023
- Current Status:
  - DEC submission
  - Future inspections on pause
  - No more home inspections are scheduled at this time
  - Continue processing previously executed easements for Town signature and filing
- Future steps:
  - Schedule remaining inspections contingent upon Town authorization

**C. Forcemain and Pump Station Scope:**

- Recent Work Completed
  - 60% Plans delivered to Town June 28, 2023
  - Updated collection O&M costs based on neighboring similar systems

- Current Status:
    - DEC submission
    - Subconsultants on pause for design phase services
    - NYSDOT comments received
  - Future steps:
    - Final design, preparation of bid set contingent upon Town authorization
- D. Funding, Permitting, and Other Items:
- Recent Work Completed
    - ✓ Addendum No. 3 to PER issued for 2024 IUP Listing on June 16, 2023
    - ✓ NBRC Grant application submitted for \$1M
    - ✓ Correspondence with USDA RD for National Pooling Grant eligibility
    - ✓ WQIP Grant application submitted for \$10M
    - ✓ GIGP Grant application submitted for \$3M
    - ✓ Submitted Letter to EFC requesting financial assistance (BIL, Hardship Grant, WIIA)
    - ✓ STAG grant of \$1.75M in recent Appropriation Bill released July 14
    - ✓ Finalized joint application for submission to DEC and Army Corps of Engineers
    - ✓ **EFC Funding Call Held on October 17. Project eligible for \$25M Hardship and potentially a future BIL Grant!**
  - Current Status:
    - Archaeological fieldwork ongoing.
    - Need letters of support from businesses in Sewer District for ESD Grant application
  - Future steps:
    - 2024 CDBG Grant application for future phased portion of project
    - Increase Bond Resolution
    - Comptroller approval process may be necessary with increased Bond Resolution
    - Co-funding consultation meeting – NYSDEC, NYSEFC, USDA Rural Development, etc.

Discussion on easements, Mr. Tomaino would like the CEO's to have access to verify locations of easements. Mr. Clark said that will not be a problem. They will send a document that can be downloaded and saved either to a computer or a thumb drive. In the meantime, they can always contact Mr. Clark or Mr. Powers directly.

**PARK AND RECREATION:**

Mrs. Zehr has a tentative date for the fireworks and military band of July 20, 2024, they don't firm up the dates until after the first of the year. The annual holiday contest will be held again this year, look for updates on Facebook. The Commission needs a few more members, working now to get the word out.

**COUNTY LEGISLATOR:**

Mr. Reehil had a chance to speak to a representative from DEC at a recent event, they are behind the project and is hopeful it will move forward. This person was really talking up the project, Mr. Reehil believes this is good news.

Mr. Reehil brought with him information on the Oswego County Office of the Aging. There are a lot of programs out there for people who need help. Staff from the office are willing to come and speak to residents.

Mr. Reehil asked if Mr. Woolridge is happy with the new highway snowplow contract. Mr. Woolridge is not a fan of one-year contracts it makes it harder to budget, but overall it is fine. The major concern is the price of gas/diesel.

**MINUTES:**

Mr. Moran made the motion to accept the minutes of the September 11th supervisor meeting, September 19th town board, October 2<sup>nd</sup> joint sewer and supervisor meeting and October 5<sup>th</sup> budget meeting seconded by Mr. Chapman.

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

**VOUCHERS:**

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #10 Dated October 17, 2023 which have been approved by the Town Board and authorized for payment:

General:	347-381	\$19,934.55	Sewer:	51-53	\$22,685.75
Highway:	176-200	\$45,882.98	Special Reserve:	1	\$10,000.00
Trust and Agency:	6	\$12,186.33			

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 September 30, 2023, seconded by Mr. Chapman.

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

**HIGHWAY:**

Mr. Woolridge reported:

- Changing over trucks for winter
- Leaf pickup is underway and will be around until it starts snowing.
- Woodshed is ½ full.
- 21,000 tons of sand has been hauled to the highway garage.
- Hot box is being used to fill potholes.
- David C. Webb Park at Taft Bay has been winterized.
- United States Geological Service (USGS) has been in contact with Mr. Woolridge on the station located by the bridge on Cemetery Rd. This station is not getting the correct readings, the last significant rainstorm led to trees coming down on the bank changing the flow of Scriba Creek. The trees are causing problems for a home that is located in this area along with concerns of undermining the bridge and the road itself. There has been discussion on this issue at past meetings, but now the USGS has requested help as NYSDEC has declined to help. Mr. Woolridge requested USGS pay for the rental of a bulldozer with a winch which he has reserved for Monday October 23<sup>rd</sup>, weather permitting they have agreed to pay for the rental. When asked if the stumps will be removed, Mr. Woolridge replied he will need to remove them as they might become an issue with ice.

Mr. Chapman asked about a topic that was brought up during a budget meeting about culverts. There seems to be some that were installed and not billed. Mr. Woolridge responded that the Town adopted the County's policy with the exception that there is no permit fee. The cost for a new driveway is \$10 a foot, no fee for a replacement. Mr. Woolridge has 3 that have not been billed yet, he believes they are all for Dutcherville.

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

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, seconded by Mr. Colesante.

- a. Code Enforcement
- b. Justice Pelon and Justice Simpson
- c. Town Clerk

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

#### **TUG HILL COMMISSION:**

Mr. Baxter read the following into the minutes:

- I assisted the town bookkeeper with moving from the tentative to the preliminary 2024 budget format.
- Status update: the MRB Group economic resilience and recovery plan process continues to move forward. The steering committee on Wednesday, September 20 was a success. The next two steps in the process are the surveys of the North Shore communities, and the first public meeting looking for public input has been scheduled for Monday, October 30 at 7:00 p.m. at A.A. Cole Elementary School in Constantia. Following, see the press release about the public meeting  
The business survey is available at [www.tinyurl.com/norcogbusiness](http://www.tinyurl.com/norcogbusiness) .  
The community survey can be found at [www.tinyurl.com/norcogcommunity](http://www.tinyurl.com/norcogcommunity) .  
Each survey is brief – nine questions long.  
Links to both surveys, and to more information on the study, are available on the norcog.org website under “Projects and Reports.”  
I'd like to thank Constantia for posting information about the October 30 meeting and the community and business surveys on the town website.
- The Tug Hill Commission annual dinner and celebration of its 50<sup>th</sup> anniversary is this month, on Thursday, October 19 at Tailwater Lodge in Altmar. The registration deadline was Friday, October 5, so I hope you're registered, and I look forward to seeing you in Altmar on the 19<sup>th</sup>!
- There will be a roundtable discussion on developing and financing municipal infrastructure on Thursday, November 9, 2023 at 9:00 a.m. in Glenfield. I have attached the flyer with further information.

#### **BOARD INITIATIVES AND COMMENT:**

Mr. Wheeler, Assessor, sent the board a copy of a proposed new law that pertains to senior income requirements. Mr. Wheeler explained via email that there have been changes to the way income for seniors citizens is calculated by the State for the STAR deduction. Oswego County will be changing the definitions to match the State, to not cause confusion, Mr. Wheeler is requesting the Town also adopt the same definitions and provided a sample law. After discussion, the board does not want to move forward until they have had a chance to speak to Mr. Wheeler.

Budget meetings are scheduled for October 18<sup>th</sup> and October 25<sup>th</sup> at 3pm.

**PUBLIC COMMENT:**

Mr. Murra attends the monthly meetings and appreciates all the board does, but often when there is discussion the audience does not have access to copies of the information being discussed. Mr. Murra requested copies be made available for review. Mrs. Haynes did state that all information is on the Town website constantiaNY.org prior to the meeting.

**ADJOURN:**

At 7:49 pm Mr. Chapman made the motion to adjourn the town board meeting, seconded by Mr. Metzger.

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