

TOWN OF CONSTANTIA
MINUTES – TOWN BOARD – November 21, 2023
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
Michael Donegan, Daniel Poné – Council Members Elect
Erin Zehr – Chair, Park and Recreation Commission
Paul Baxter – Tug Hill Commission

Absent: Wayne Woolridge – Highway Superintendent

CALL TO ORDER:

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

PUBLIC COMMENT:

Mr. Rockwell a resident from Salt Rd was in to discuss a previous flooding issue. Mr. Rockwell indicated that his neighbor's beaver pond broke, which caused the damage to his property. Mr. Rockwell also believes the culvert that was replaced by his house should have been larger to help curtail flooding. Mr. Woolridge the highway superintendent is not in attendance tonight the board cannot give an answer about the bigger culvert. Mr. Rockwell would like the Town to "craft a formal response to the landowner regarding responsible beaver management" in the future. This would be considered a neighbor issue which the Town does not get involved in. It was suggested that Mr. Rockwell reach out to his neighbor for discussion on the topic.

WASTEWATER:

Representatives from Barton and Loguidice are not in attendance tonight due to weather, the following report was sent:

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
- Future steps:
 - Final design, preparation of bid set contingent upon Town authorization

D. Funding, Permitting, and Other Items:

- Recent Work Completed
 - ✓ 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
 - ✓ 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.

Sewer Project Summary:

The Northshore Sewer Project has been awarded over \$50M in State and Federal grants and low interest loans to date. The current estimated project cost is \$62.95M and the Town requires additional grant money to deliver the project at the approved first year user charge. The Town has remained committed to delivering the project at the target first year user charge by pursuing additional grant funding throughout much of 2023. The Town has submitted several grant applications that are expected to be announced by the end of 2023, or in the early part of 2024. Upon receiving the results of the pending applications, the Town will evaluate the project cost and estimated first year user charge to determine how best to proceed. The Town plans to reach out to all district residents in early 2024 upon receiving the results of the grant applications with additional information.

Mr. Tomaino saw that B&L did include a summary of the project on this report as requested. This report will be posted on the Town’s website.

Mr. Markham had heard the project was cancelled, Mr. Tomaino understands that there is a lot of misinformation out there, but this board is 100% committed to this project.

PARK AND RECREATION:

Ms. Zehr told the board that the commission is looking for two additional board members for open seats. They currently have five people interested in joining, she hopes these people will work out. Other than that, it is a quiet time of year, just brainstorming for 2024.

MINUTES:

Mr. Moran made the motion to accept the minutes of the October 10th, 18th, 25th Budget Meetings, October 17th Town Board, November 6th Supervisor Meeting, and November 9th Public Hearing seconded by Mr. Chapman.
Carried: Moran – Yes Chapman – Yes Colesante – Yes Metzger – Yes Tomaino - Yes

VOUCHERS:

Mr. Chapman questioned the voucher for Klies Equipment, was this for the work done on Cemetery Rd? Mr. Tomaino did call on this voucher, the charge was for a drive shaft, it was just purchased at the same time.

Mr. Colesante made the motion to accept the following vouchers as listed on Abstract #11 Dated November 21, 2023 which have been approved by the Town Board and authorized for payment:

General:	382-425	\$66,096.62	Sewer:	54-56	\$9,183.87
Highway:	201-218	\$57,532.22	ARPA:	12	\$ 252.50
Trust and Agency:	7	\$ 7,706.61			

Seconded by Mr. Metzger.

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

SUPERVISOR:

Mr. Moran read the following into the minutes:

Referring to Highway Fund Budget Transfer #1 for October 2023, the following accounts are over budget:

DB5112.2 Road Improvement	\$2,119.07
DB5130.1 Machinery PS	<u>\$ 684.00</u>
Total:	\$2,803.07

I therefore make a motion to address this deficiency by removing \$2,803.07 from the year end unreserved fund balance of \$82,943.00, leaving a balance of \$80,142.93, seconded by Mr. Chapman.

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

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

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

HIGHWAY:

Mr. Woolridge was not in attendance tonight due to the weather.

APPROVAL OF DEPARTMENT REPORTS:

Mr. Chapman made the motion to accept the following reports as received, seconded by Mr. Metzger.

- 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 into the minutes the following report:

- 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 .
The community survey can be found at 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 50th 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 19th!
- 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 OF APPEALS:

September 28th and October 10th minutes received

PLANNING BOARD:

September 26th and October 24th minutes received

Mr. Peck sent the following report:

Monthly Town Board Executive Summary 21 November 2023

The Planning Board’s (referred to as PB following) most recent meeting was held on 10/24/23 at 7 PM. Immediately preceding at 6PM was the newly constituted Zoning Commission’s first meeting with Matt Johnson of the Tug Hill Commission leading. Introductions were made and a general discussion of goals, resources and each member’s expectations of process and outcomes was held.

Five overall steps will be needed- how many zones and where, delineating those zones on a map, defining allowable uses within the zones, defining dimensional allowances and incorporating existing Land Development Law (LDL) language in the context of the Town’s Comprehensive Plan as smoothly as possible. The new Zoning regulations and accompanying map(s) will replace the existing Land Development Law when adopted by the Town Board. Copies of several communities’ Zoning Laws and maps with similar demographics were handed out for study. November’s Zoning Commission meeting (Town Hall, Tuesday 11/28, 6PM) will be with Vern Sundet, Supervisor, Town of West Monroe as a Q&A about that Town’s recent experiences setting up and adjusting to Zoning for the first time.

PB October meeting activity was primarily on the topic of redevelopment by Renpro (Starusaak) of the property at 1577 RT 49, formerly used as a video store, hair salon, candy shop, other small businesses and an unauthorized residence. The owner, after several discussions with Code Enforcement, has submitted a partial Site Plan Review to perform a significant facelift and convert the property into an open plan office occupied only by Renpro. Significant progress has been made but the largest obstacle remaining is providing County Health Department approval of the on-site sewage disposal system which this far is undocumented and of unknown capacity. When DOH approval is received (not as of this writing) a Public Hearing and vote will be scheduled.

Several members of the PB and ZC attended the Economic Development Public hearing discussing the multi community funded development study on 10/30 at Cole Elementary.

-Respectfully Submitted, Jim Peck, Chair

CORRESPONDENCE:

Letter received from North Shore Ambulance – Termination of Services to the Town of Amboy.

ZONING COMMISSION:

October 24th minutes received

BOARD INITIATIVES AND COMMENT:

LOCAL LAW NO. C-2023

(“A Local Law Providing for a Tax Exemption on Real Property Owned By Persons Sixty-Five Years of Age or Over Pursuant to Real Property Tax Law § 467”)

Supervisor Tomaino introduced proposed Local Law No. C-2023, titled “A Local Law Providing for a Tax Exemption on Real Property Owned By Persons Sixty-Five Years of Age or Over Pursuant to Real Property Tax Law § 467,” and made the following motion, which was seconded by Councilor Chapman:

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, with the result that the Town Board shall act as lead agency in this matter; and

WHEREAS, the adoption to said Local Law is an unlisted action for purposes of environmental review under SEQR; and

WHEREAS, the Town Board has determined that a short environmental assessment form (EAF) shall be required in connection with this matter; and

WHEREAS, the said EAF has been prepared and has been reviewed by the Town Board; and

WHEREAS, the Town Board has considered the adoption of said Local Law, has considered the criteria contained in 6 N.Y.C.R.R. Part 617.7 and has compared the impacts which may be reasonably expected to result from the adoption of said Local Law against said criteria.

NOW, THEREFORE, it is

RESOLVED AND DETERMINED, that the enactment of proposed Local Law No. C-2023 is an unlisted action, there are no other involved agencies and this Board shall act as lead agency in this matter for purposes of SEQR review; and it is further

RESOLVED AND DETERMINED, the Town Board has determined this action shall have no significant adverse impact on the environment; that, accordingly, an environmental impact statement (EIS) shall not be required; and that this resolution shall constitute a negative declaration under SEQR; and it is further

RESOLVED, that the Town Board shall conduct a public hearing as to the enactment of proposed Local Law No. C-2023 at the Town Hall located 14 Frederick Street, Constantia, New York 13044 on December 19, 2023 at 6:45 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:

Frank Tomaino	Supervisor	Voted	Yes
Richard Colesante	Councilor	Voted	Yes
Ron Chapman	Councilor	Voted	Yes
John Metzger	Councilor	Voted	Yes
Thomas Moran	Councilor	Voted	Yes

The foregoing resolution was thereupon declared duly adopted.

PUBLIC COMMENT:

Mr. Gass was in to speak to the board about a shed that North Shore Jr. Baseball owns that is on the property of St. Bernedette’s 1667 State Route 49. The Town has submitted a purchase offer, but the Town has not yet closed on the property. Mr. Gass would like permission to leave the shed on the property, it is in a good location as it has the equipment for the program. The program does use the school for their games, but the school will not let them have a shed on the property. The board members do not see a problem leaving the shed where it is, once the Town has closed on the property, Mr. Tomaino will reach back out to Mr. Gass.

EXECUTIVE SESSION:

At 7:53pm Mr. Metzger made the motion to go into executive session to discuss possible legal action, seconded by Mr. Colesante.

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

*Mrs. Haynes did not go into executive session.

At 8:44pm with no decisions made, Mr. Chapman made the motion to re-open the meeting, seconded by Mr. Moran.

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

Mr. Woolridge came to the meeting, asked if there were any questions about the voucher for the fuel island. The voucher was for items that had to be ordered, S&W Services will be holding the equipment until installation, this is to make sure all items are stored properly. Mr. Woolridge will be having a meeting on Monday to get a quote for installation of the equipment.

Mr. Woolridge asked if the board approved plowing the fire department, yes they did. Mr. Woolridge said it is a very dangerous place to plow with the curve right there, he originally stopped plowing because he was down a guy. Mr. Moran is against starting to plow again.

ADJOURN:

At 8:53 pm Mr. Tomaino made the motion to adjourn the town board meeting, seconded by Mr. Chapman.

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

