

A Public Meeting for the Town of Constable was held on July 9, 2020 at 7:00 pm in the new town hall. Members present were Councilman Patterson, Wilson and Leahy, Supervisor Onufer, Town Clerk Prue, Highway Superintendent Martin and Councilwoman Lemire was absent.

The purpose for the public meeting was to pass Local Law #1-2020.

A LOCAL LAW “ESTABLISHING A SINGLE APPOINTED ASSESSOR”

Be it enacted by the Town Board of the Town of Constable as follows.

- § 1. **Legislative Intent.**
- § 2. **Abolition of the Offices of the Single Appointed Assessors.**
- § 3. **Appointment**
- § 4. **Term of Office**
- § 5. **Qualifications**
- § 6. **Inconsistency**
- § 7. **Severability**
- § 8. **Referendum**
- § 9. **Effective Date**
- §10. **Numerical Lettering Designations**

**§1. Legislative intent:**

To establish the office of a single appointed assessor pursuant to Real Property Tax Law §328. It is the intent of this local law to abolish the board of a single elected assessor in the Town of Constable and to substitute, therefore, a single appointed assessor to be appointed pursuant to Real Property Tax Law §310

**§2. Abolition of the Offices of the Board of three appointed assessors.**

The office of the single elected assessor as previously established and continued by the Town of Constable is hereby abolished effective May 14, 2020..

**§3. Appointment:**

In place and stead of the elected assessor, the Town of Constable shall have one (1) single assessor to be appointed by the Town Board of the Town of Constable. Such initial term of office will be from April 1, 2019 to September 30, 2025.

**§4. Term of Office:**

The term of office for said appointed assessor shall be six (6) years, with the current term being October 1, 2020 – September 30, 2025.

**§5. Qualifications:**

The qualifications for the office of appointed assessor shall be the minimum qualifications and standards set by the State Board of Equalization and Assessment as of the date of appointment to the office.

**§6. Inconsistency:**

All other laws and ordinances of the Town of Constable that are inconsistent with the provisions of this local law are hereby repealed, provided however, that such repeal shall only be to the extent of such inconsistency and in all other respects this local law shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

**§7. Severability:**

If any clause, sentence, paragraph, word, section or part of this local law shall be adjudged by any court of competent jurisdiction to be unconstitutional, illegal or invalid, such judgement shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, words, section or part thereof directly involved in the controversy in which such judgement shall have been rendered.

**§8. Referendum:**

This local law shall be subject to a referendum

**§9. Effective Date:**

This local law shall take effect upon filing with the Office of the Secretary of State.

**§10. Numerical/Lettering Designations:**

The chapter designation and numerical/lettering designations of the sections and article(s) included in this local law shall be delegated to the discretion of General Code Publishers, which may renumber the chapter, sections, and article(s) included in this local

law as necessary to accommodate incorporation of this local law in the Code of the Town of Constable.

After discussion a motion was made by Councilman Wilson and seconded by Councilman Leahy to table passage of this Local Law till the September meeting, motion carried.

Capital Project Bills were audited and approved. 22-37

Highway Bills were audited and approved. 62-74

General Fund Bills were audited and approved. 108-137

A motion to adjourn the public meeting was made by Councilman Wilson and seconded by Councilman Patterson at 7:30 pm, motion carried.

The regular monthly meeting for the Town of Constable was called to order at 7:31 pm. Members present were Councilman Patterson, Wilson and Leahy, Supervisor Onufer, Town Clerk Prue, Highway Superintendent Martin and Code Officer Halley. Councilwoman Lemire was absent.

Guests present were Dalton Patterson, Web Designer/Tech Support, Aiden Tollard, Telegram, Jim Lester, Constable Resident, Tom McDonald, Peter Leandro and Matt Bruso.

A motion was made by Councilman Patterson and seconded by Councilman Wilson to accept the June 11, 2020 Regular meeting minutes, motion carried.

Supervisor Onufer reported that he has received 2 bids on the Old Town Hall/ Adult Center building.

A motion was made at 7:35 pm by Councilman Leahy and seconded by Councilman Wilson to go into executive session, motion carried.

Supervisor Onufer presented the 2 bids received, they are as follows:

Peter Leandro - \$30,000.00

Matt Bruso - \$54,000.00

Discussion followed and a motion was made by the Councilman Patterson and seconded by Councilman Leahy at 7:45 pm, to close the executive session and re-enter the regular meeting.

Upon making the bids public Mr. Leandro raised his bid to \$57,000.00 and Mr. Bruso then raised his bid to \$59,000.00 and Mr. Leandro declined to go any higher. A motion was made by Councilman Patterson and seconded by Councilman Wilson for Resolution

#13, 2020 to award the sale to Mr. Brusio for \$59,000.00, motion carried.

Voting was as follows:

Councilwoman Lemire – Yes – by proxy

Councilman Leahy – Yes

Councilman Patterson – Yes

Councilman Wilson – Yes

Supervisor Onufer signed the paperwork with Tom McDonald for the sale of the building.

### **Solar**

Helios may get started on the Solar Farm later this year.

OYA has questions on the electrical.

### **CODE OFFICER**

Code Officer Halley gave his report for the period– June 10, 2020. – July 7, 2020.

Code Officer Halley reported he received a FOIL Request from LaBelle Assoc. and that he responded.

Code Officer Halley addressed the issues with the insulation in the ceiling of the Utility Room.

A motion was made by Councilman Leahy and seconded by Councilman Patterson to accept the Code Officer report, motion carried.

### **ASSESSOR**

A Public Meeting will be held on August 13, 2020 at 7:00 pm to discuss Local Law #2-2020 to change Grievance Day.

### **TECHNICAL SUPPORT**

Supervisor Onufer reported that there is a problem with the email account and messages being deleted, Dalton and CST to check this out.

A motion was made by Councilman Wilson and seconded by Councilman Leahy to accept Dalton's report, motion carried. Councilman Patterson abstained from this vote.

## Highway

Highway Superintendent Martin reported that Alcohol & Substance Abuse testing was done on 2 highway dept. employees and they passed. He also reported that this will be the only testing done this year.

NYMIR to start inspections again.

Hold off on anymore paving for this year and roll over any leftover funds to next year.

Nothing new to report on the Franklin County Snow & Ice Contract.

Historic Marker to be placed in Trout River, nothing new to report.

Highway Superintendent Martin gave his fuel usage report for June.

Work on Stebbins Road to start soon.

Superintendent Martin reported he has received 3 quotes for a new mower.

1. Burke
2. Kubota
3. John Deere

Old International needs new injectors, has an oil leak that they can't get to. Estimated cost to repair is \$8,000.00 to \$9,000.00. Larry would like to have this fixed before the next winter season.

A motion was made by Councilman Patterson and seconded by Councilman Leahy for Budget Amendment #4-2020 Highway Fund which reads as follows:

\$1,785.54 from Account #DA5110.4 General Repairs – Cont. Exp.  
\$1,785.54 to Account #DA5130.2 Machinery Equipment

\$2,500.00 from Account #DA909 Fund Balance  
\$2,500.00 to Account #DA130.2 Machinery Equipment

Motion Carried

Motion made by Councilman Wilson, seconded by Councilman Patterson to accept the Highway Superintendent's report, motion carried.

Motion made by Councilman Wilson, seconded by Councilman Leahy to accept the Supervisor's Report - Highway Fund, motion carried.

## CAPITAL PROJECTS

Water pressure problems at the new town hall to be corrected.

A motion was made by Councilman Wilson and seconded by Councilman Leahy for Resolution #12-2020 which reads as follows:

Relating to changes to Rural Development form E#8 for the construction of the new Constable Town Hall.

Whereas: Adjustments need to be made to certain line items to correct remaining balances, the following adjustments require board approval.

1. Reduction in line B.e. (reimbursable) from \$476.04 to \$00.00 with total expenses coming to \$523.96
2. Increasing line item A.3. (net interest) by \$410.56 from line item D.1. (contingency)
3. Decrease line item C.2.a. (furniture and equipment) by \$2,398.12 to line item D.1. (contingency)
4. Decrease line item C.2.b. (power hook up) by \$2,626.00 to line item D.1. (contingency)
5. Increase line item C.2.c. (Network connection) by \$2,647.00 from line item D.1. (contingency)\
6. Increase line item C.2.d. (site work) by \$9,440.08 from line item D.1. (contingency)

Motion carried.

Now, Therefore, Be It Resolved:

That the Constable Town Board adopts the resolution approving the changes made to Rural Development for E#8 this 9<sup>th</sup> day of July, 2020.

A new generator has been ordered from Home Depot.

Town Justice Wisnesky reported she needs a window put in the attorney/Client room door and she needs a color printer, a motion was made by Councilman Wilson and seconded by Councilman Leahy giving permission to Supervisor to look into a new printer

.A motion was made by Councilman Patterson and seconded by Councilman Leahy giving permission to the Supervisor to look into the changes that Justice Wisnesky would like done, motion carried

A motion was made by Councilman Leahy and seconded by Councilman Patterson to hire someone to clean the new town hall on a regular basis at \$12.00/hour, motion carried.

A motion was made by Councilman Patterson and seconded by Councilman Leahy to accept the Capital Projects report, motion carried.

Motion made by Councilman Wilson, seconded by Councilman Leahy to accept the Supervisor's Report – Capital Projects Fund, motion carried.

### **Rec Park**

The summer lunch program is under way and is being served from Veteran's Park.

### **TOWN CLERK**

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Motion made by Councilman Patterson, seconded by Councilman Leahy, to accept the Town Clerk's Report, motion carried.

### **Town Justice**

Supervisor Onufer reported Justice Wisnesky turned in \$735.00 for June 2020, and no voucher has been received yet

### **Supervisor**

Supervisor Onufer reported he would like to apply for another HUD Grant and F.O.T.N.C. are sending out postcards to see if the need is there.

Supervisor Onufer reported the Fire Dept. turned in a copy of their 2019 tax return.

Supervisor Onufer reported receipt of a check from NYMIR in the amount of \$2,347.37.

A motion was made by Councilman Patterson and seconded by Councilman Wilson to revise and update our policy with NYMIR, motion carried.

Supervisor Onufer reported the need for a budget workshop on either August 3 or 6.

DASNY Grant – nothing new to report.

Henry Road – Nothing new to report.

Savings statement for June 2020 was reviewed by all board members present.

Trial Balance for June 2020 was reviewed by all board members present.

Supervisor's Report, General Fund, was presented and reviewed by all board members present, a motion was made by Councilman Leahy, seconded by Councilman Wilson to accept, motion carried.

A motion was made by Councilman Leahy and seconded by Councilman Patterson for Budget Amendment #5-2020.

\$234.48 from Account #A 7310.2 Youth Lifeguards  
\$234.48 from Account #A1910.4 Ins.

\$855.56 from Account #A7310.2 Youth Lifeguards  
\$855.56 to Account #A9730.7 Debt Amount Bond Amount Note

\$1,100.00 from Account #A909 Fund Balance  
\$1,100.00 to Account #A7510.4 Historian Cont.

Motion to adjourn was made by Councilman Leahy at 9:45 P.M., seconded by Councilman Patterson, motion carried.