

The regular monthly meeting for the Town of Constable was held on September 12, 2019 at 7:00 pm. Members present were Councilman Leahy, Wilson and Patterson, Councilwoman Lemire, Supervisor Onufer, Town Clerk Prue, Highway Superintendent Martin and Code Officer Halley.

Guests present were Brendan McDonough, Malone Telegram, Joe Lewis, Rec Park, Matt McArdle, Town Attorney and Dalton Patterson, Tech/Web.

A motion was made by Councilman Patterson, seconded by Councilwoman Lemire to accept minutes from the August 8, 2019 meeting, motion carried.

Matt McArdle gave the town his perception of the Helios Solar Project draft tentatively to be put at the Old (Closed) Landfill. It is a 35 year lease, once up and running. Development period of 1 – ½ years. \$1,190.47 per MWcap per month to be paid to the Town. Signing of the draft agreement tabled.

### **CODE OFFICER**

Code Officer Halley gave his report from August 8, 2019 – September 11, 2019.

Oya Solar – nothing new to report.

Miller Rd. – all cleaned up.

Taylor Rd. – nothing new to report.

Sand Rd. – nothing new to report.

Franklin County IDA will have a public hearing on 09/24/2019 @4:00 pm in the Constable Town Hall with regards to the OYA Solar Project.

A motion was made by Councilman Patterson and seconded by Councilman Leahy to accept Gordie's report, motion carried.

### **HIGHWAY**

Supervisor Onufer reported receipt of NYS paperwork from DOT on Stebbins Road Grant for work that has been completed and has been turned over to the Highway Supt. and \$28,425.54 has been in for repayment from grant funds.

Metal dumpster is at the Highway Garage.

CHIPS paving is complete.

Highway Superintendent Martin could not give his report for fuel usage for August 2019.

Highway bills were audited and approved #100-#110, motion carried.

A motion was made by Councilman Wilson and seconded by Councilwoman Lemire for Highway Budget Amendment #6-2019

\$5,557.05 from Account # DA5130.1 Machinery Personal Service  
\$5,557.05 to Account #DA5110.1 General Repairs Personal Service

\$1,211.05 from Account #DA5110.4 General Repairs Cont. Exp.  
\$1,211.05 to Account #DA5140.4 Misc. Brush & Weeds Cont. Exp.

Motion carried.

Supervisors Report for the August Highway Fund presented for all board members to review. Motion made by Councilman Wilson, seconded by Councilman Leahy to accept the Supervisor's Highway Superintendent's report, motion carried.

### **REC PARK**

Supervisor Onufer reported that the paperwork from the Franklin County Youth Bureau has been submitted.

Supervisor Onufer reported the NYS-DOH Swimming Pool operation report was sent to the NYS-DOH on 08/22/2019.

Supervisor Onufer reported that the County has notified him that they are now paying \$75.00 for the pre-employment physical.

Rec Park Director, Joe Lewis, gave his summer's end report. They had a very successful summer, only 2 injury incidents reported.

A motion was made by Councilman Wilson and seconded by Councilwoman Lemire to use funds from the Capital Improvement – Rec Park to pay for the Chlorinator equipment, motion carried.

The Rec Park/Pool closed on August 21, 2019.

A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to accept the Rec Park report, motion carried.

### **WEB**

Dalton has set up the 3<sup>rd</sup> Friday of the month to do a monthly back up of the Town's computer system.

The website address for the Town of Constable is [www.Town](http://www.TownofConstable.com) of Constable.com.

A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to accept Dalton's report, motion carried.

### **CAPITAL IMPROVEMENTS**

Supervisor Onufer reported that the pre-construction meeting was held on August 29, 2019 and construction on the new town hall has begun.

Bills were audited and approved 10-11

Supervisors Report for the August Capital Projects Fund presented for all board members to review. Motion made by Councilman Wilson, seconded by Councilman Leahy to accept the Supervisor's Capital Projects Fund report, motion carried.

### **Town Justice**

Supervisor Onufer reported Justice Wisnesky court fees collected for August were, \$694.00.No voucher has been received from the Justice Court Fund yet..

### **Town Clerk**

Motion made by Councilwoman Lemire seconded by Councilman Wilson to accept the Town Clerk's Report, motion carried.

### **BUDGET**

A motion was made by Councilman Patterson and seconded by Councilman Wilson to accept the tentative budget as the Preliminary Budget, motion carried. A public meeting will be held on October 10, 2019 at 7:00 pm in the Town Hall.

### **Assessor**

The proposed local law #1-2019, for elected assessor, was read, in its entirety, into the minutes by Supervisor Onufer. It reads as follows:

Town of Constable

Local Law No. 1 of 2019

A LOCAL LAW "ESTABLISHING A SINGLE ELECTED 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 Board of three elected assessors.**

**§ 3. Appointment**

**§ 4. Term of Office**

**§ 5. Qualifications**

**§ 6. Inconsistency**

**§ 7. Severability**

**§ 8. No Referendum**

**§ 9. Effective Date**

**§10. Numerical Lettering Designations**

**§1. Legislative intent:**

To establish the office of a single elected assessor pursuant to Real Property Tax Law §329. It is the intent of this local law to abolish the board of three elected assessors in the Town of Constable and to substitute, therefore, a single elected assessor to be appointed pursuant to Real Property Tax Law §310

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

The offices of the three elected assessors as previously established and continued by the Town of Constable are hereby abolished effective \_\_\_\_\_, 2019.

**§3. Appointment:**

In place and stead of the board of three elected assessors, the Town of Constable shall have one (1) single assessor to be elected. Such initial terms of office will be from October 1, 2019 to September 30, 2025.

**§4. Term of Office:**

The term of office for said elected assessor shall be six (6) years, with the current term being October 1, 2019 – September 30, 2025.

**§5. Qualifications:**

The qualifications for the office of elected 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. No Referendum:**

This local law shall not 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.

**GENERAL**

Supervisor Onufer brought up the discussion on whether to sell the current Town Office Building, which houses the Town Hall, Justice Court and Adult Center to the Constable Adult Center for \$1.00. After discussing, a motion was made by Councilwoman Lemire and seconded by Councilman Leahy to sell the Town Office Building to the adult center for \$1.00, motion carried. It was also decided that the Town of Constable will continue to plow the driveway and mow the lawn.

Supervisor Onufer reported that the Veteran's Day Ceremony will be held on

November 11, 2019 in Constable.

A motion was made by Councilman Patterson and seconded by Councilman Wilson for Budget Amendment #6-2019 for the General Fund, motion carried.

\$107.47 from Account A1989.0 Fire Dept. Cancer Ins.

\$107.47 to Account #A1110.4 Town Justice – Cont. Exp.

NY Class Account for August presented for all board members to review.

Trial Balance for August presented for all board members to review.

Supervisors Report for the August General Fund presented for all board members to review. A motion was made by Councilman Wilson and seconded by Councilwoman Lemire to approve the August Supervisors Report, motion carried.

General Fund bills were audited and approved. #157-187

Motion to adjourn was made by Councilwoman Lemire at 9:55 P.M., seconded by Councilman Patterson, motion carried.