

The regular monthly meeting for the Town of Constable was held on May 14, 2020 at 7:00 pm. Members present were Councilman Leahy, Patterson and Wilson, Councilwoman Lemire, Supervisor Onufer, Town Clerk Prue, Code Officer Halley and Highway Superintendent Martin.

Guests present were Dalton Patterson, Tech Support and E. J. Conzola, Editor Malone Telegram.

A motion was made by Councilman Wilson and seconded by Councilman Leahy to accept the March 12, 2020 Regular meeting minutes, motion carried.

A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to accept the March 16, 3030 special meeting minutes, motion carried.

Town Clerk

\$248.00 turned in for March
\$288.00 turned in for April.

Code Officer

Code Officer Halley gave his report for 03/12/2020 – 05/12/2020.

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

Solar

OYA – nothing new to report
Helios - nothing new to report

Assessor

Supervisor Onufer reported the equalization rate has changed from 11.35% to 10.40%.

A motion was made by Councilman Wilson and seconded by Councilman Leahy to rescind Local Law #1-2019 to make the Assessor position an appointed position, motion carried.

Supervisor Onufer read Local Law #1-2020 into the minutes.

Town of Constable

Local Law No. 1 of 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 Board of three elected assessor.**
- § 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 appointed 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 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 May 14, 2020.

§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 appointed. 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 April 1, 2020 to 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. 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.

A motion was made by Councilwoman Lemire and seconded by Councilman Wilson to hold a public hearing on Local Law #1-2020 "Sole Appointed Assessor" at the regular meeting to be held on June 11, 2020 at 7:00 PM.

Supervisor Onufer read Local Law #2-2020 into the minutes.

Town of Constable

Local Law No. 2 of 2020

A LOCAL LAW "CHANGING GRIEVANCE DAY"

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

§ 1 Legislative Authority; Supersession of State Law.

§ 2 Legislative Intent

§ 3. Grievance Day Established

§ 4. Inconsistency

§ 5. Severability

§ 6. Effective Date

§ 7. Numerical/Lettering Designations

§ 1 Legislative Authority; Supersession of State Law:

This article is enacted pursuant to New York State Real Property Tax Law § 512, which enables a Town to enact a local law to change grievance day from the fourth Tuesday of May. This article supersedes and is in place of the date for the hearing of complaints set forth in subsection 1 of §512 of the Real Property Tax Law.

§ 2 Legislative Intent:

The Town of Constable in the County of Franklin employs an assessor who is at the same time employed by another assessing unit. Pursuant to the authority granted by § 512, Subdivision 1- a of Real Property Tax Law, the Town of Constable desires to establish a date for the meeting of the Board of Assessment Review other than that provided in Subdivision -1 § 512 of the Real Property Tax Law.

§ 3. Grievance Day Established

The Town of Constable hereby adopts as and for its grievance day the First Wednesday in June and as many days thereafter as the Board of Assessment Review deems necessary, when such Board shall meet to hear complaints in relation to assessments pursuant to § 512 of the New York State Real Property Tax Law.

§ 4. 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 each other local law or ordinances regulating and governing the subject matter covered by this local law.

§ 5. Severability

If any clause, sentence, paragraph, words, 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 ordered.

§ 6. Effective Date

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

§ 7. Numerical/Lettering Designations

This chapter designation and numerical/lettering designations of the section 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 the local law as necessary to accommodate incorporation of this local law in the Code of the Town of Constable.

A motion was made by Councilwoman Lemire and seconded by Councilman Wilson to accept the assessor's report, motion carried.

Highway

Supervisor Onufer reported we may not receive CHIPS Funds.

Metal Dumpster is still at the Highway Garage.

Supervisor Onufer reported receipt of \$4,100.00 from the F.C.S.W.M.A. for Snowplowing at the landfill.

Supervisor Onufer reported that the paperwork for the Truck Engine Lawsuit has been turned over to Highway Superintendent Martin for completion.

Supervisor Onufer reported that \$57,544.62 was received from NYS DOT for the 2nd half of the Snowplowing 2019-2020 contract,

Supervisor Onufer presented a request for a resolution regarding the authorization to purchase a new snow plow truck. A motion was made by Councilwoman Lemire and seconded by Councilman Wilson for Resolution #7-2020 reads as follows:

RESOLUTION #7-2020 DATED MAY 14, 2020. A RESOLUTION FIXING THE DETAILS AND AUTHORIZING THE SALE OF \$159,000.00 STATUTORY INSTALLMENT BOND OF THE TOWN OF CONSTABLE FRANKLIN COUNTY NEW YORK. TO PAY THE COSTS AND EXPENSES ATTENDANT TO THE PURCHASE OF A NEW PLOW TRUCK.

At a meeting of the Town Board of the Town of Constable, New York, held on the 14th day of May, 2020.

Upon motion duly made and seconded and carried, the following resolution was duly adopted.

BE IT RESOLVED that the Town Board does hereby approve the form and format for the Statutory Installment Bond in the total sum of One-Hundred Fifty Nine Thousand and 00/100 Dollars (\$159,000.00) to be issued with respect to the Town's new plow truck as presented by Roger B, Linden, Esq. bond counsel for the Town and be it further

RESOLVED that such Statutory Installment Bond shall reflect the number of payments the amounts thereof and the dates thereof as is set forth on the annexed maturity schedule prepared and presented by Roger B, Linden, Esq. bond counsel for the Town and Lucas Manning, Area Specialist of the U.S. Department of Agriculture, New York Rural Development, and be it further

RESOLVED that the Town Supervisor as Chief Fiscal Officer of the Town of Constable, shall duly execute such Statutory Installment Bond and all such other and related documentation necessary to effectuate such purpose, and be it further

RESOLVED that the previous Resolution of the Board dated February 13, 2020, supporting the issuance of such Statutory Installment Bond is in all aspects affirmed and continued and the Chief Fiscal Officer shall have all of the powers enumerated therein with support to the issuance of each Statutory Installment Bond.

The foregoing Resolution was duly adopted by the Town Board of the Town of Statutory Installment Bond Constable, New York on the 14th day of May, 2020.

Motion Carried.

A list of payments including interest is attached to these minutes.

Stebbins Road – nothing new to report.

Larry reported he found a used Sander for \$3,200.00 that would be used on the back of the Town Pickup Truck. A motion was made by Councilman Wilson and seconded by Councilwoman Lemire giving permission to Larry to purchase the sander, motion carried.

Highway Superintendent Martin gave his fuel usage report for March and April and a motion made by Councilwoman Lemire seconded by Councilman Patterson accept the Highway Superintendent's report, motion carried.

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

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

Highway bills for March were audited and approved. 25-42

Highway bills for April were audited and approved 43-53

TECHNICAL SUPPORT

Dalton reported that everything seems to be good,

A motion was made by Councilwoman Lemire and seconded by Councilman Wilson to accept Dalton's report, motion carried with Councilman Patterson abstaining from the vote.

CAPITAL PROJECTS

Nothing new to report on the DASNY Grant Application or the Archive Grant.

Bills audited and approved 12-16

A motion was made by Councilwoman Lemire and seconded by Councilman Wilson to approve the Capital Projects Report, motion carried.

A motion was made by Councilman Wilson and seconded by Councilman Patterson to approve the Capital Projects Monthly Supervisor's Statement, motion carried.

Rec Park

Supervisor Onufer reported that Chateaugay Recreation Park is not having their Summer Swimming Program due to the Covid 19 Pandemic.

There was a discussion on whether or/not to have the Swimming Lesson Program and open swimming. A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to cancel the 2 programs for this summer due to the Covid 19 Pandemic, motion carried.

A motion was made by Councilman Wilson and seconded by Councilman Patterson to have the Summer Lunch Program, if offered, motion carried.

Town Justice

Supervisor Onufer reported Justice Wisnesky turned in \$1,294.00 for March 2020, no voucher has been received yet. No funds were turned in for April 2020.

HUD

Nothing new to report.

ADULT CENTER

A motion was made by Councilman Wilson and seconded by Councilwoman Lemire to stop the \$7,500.00 yearly donation, due to the Adult Center closing.,

Supervisor

Supervisor Onufer reported that the Sexual Abuse/Harassment Training needs to be done again this year. Tabled.

A motion was made by Councilman Wilson and seconded by Councilman Patterson for Resolution #8-2020, which reads as follows:

At the May 14, 2020 Town of Constable, Town Board Meeting attended by all Trustees listed below. A RESOLUTION was considered "TO CANCEL THE

MEETING TO BE HELD ON April 14, 2020”.

Be it resolved, by the Town Board of the Town of Constable, Franklin County, New York, as follows:

Section 1 In light of the COVID 19 Pandemic and public health crisis, the Town Board meeting for the Town of Constable, scheduled for April 14, 2020, is hereby cancelled.

Section 2. This Resolution shall take effect immediately.

Moved by Councilman Wilson and seconded by Councilman Patterson.

Roll Call Vote	Ayes	Nay	Abstain
Mike Leahy	X		
David Patterson	X		
Melanie Lemire	X		
Clyde Wilson	X		

Motion carried 4-0

This resolution was thereupon declared duly adopted.

I, Susan Prue, Town Clerk for the Town of Constable, County of Franklin, State of New York, do hereby certify that I have compared the foregoing resolution with the original thereof filed in my office at the Town of Constable, New York and that the same is a true and correct copy of said original and whole thereof.

I, further certify, that all members of the Town Board had due notice of the meeting at which said resolution was accepted.

IN TESTIMONBY HEREOF, I have hereunto set my hand and affixed the seal of said Town of Constable, this 14th day of May 2020.

A motion was made by Councilman Patterson and seconded by Councilwoman Lemire for Resolution #9-2020 which reads as follows:

Title: Future Meeting Cancellations

At the May 14, 2020 Town of Constable Town Board Meeting attended by all Trustees listed, A RESOLUTION was considered TO GRANT THE TOWN SUPERVISOR THE AUTHORITY TO CANCEL FUTURE BOARD MEETING IN THE EVENT OF AN EMERGENCY.

BE IT RESOLVED, by the Town Board of the Town of Constable, Franklin County, New York, as follows:

Section 1. In light of the current COVID 19 pandemic and public health crisis, The Town Board deems it necessary and appropriate to grant the Supervisor the authority to cancel future Town Board meetings in the event of a crisis or emergency, including but not limited to, situations involving acts of God, flood, fire, earthquake, explosion, governmental actions, war, terrorist threats or acts, riots, or other civil threat, national emergency, epidemic or pandemic.

Section 2. This Resolution takes effect immediately.

Moved by Councilman Wilson and seconded by Councilwoman Lemire.

Roll Call Vote	Ayes	Nay	Abstain
Mike Leahy	X		
David Patterson	X		
Melanie Lemire	X		
Clyde Wilson	X		

Motion carried 4-0

This resolution was thereupon declared duly adopted..

I, Susan Prue, Town Clerk for the Town of Constable, County of Franklin, State of New York, do hereby certify that I have compared the foregoing resolution with the original thereof filed in my office at the Town of Constable, New York and that the same is a true and correct copy of said original and whole thereof.

I, further certify, that all members of the Town Board had due notice of the meeting at which said resolution was accepted.

IN TESTIMONBY HEREOF, I have hereunto set my hand and affixed the seal of said Town of Constable, this 14th day of May 2020.

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

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

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

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

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

\$5,200.00 from Account #A909 Fund Balance

\$5,200.90 to Account #A9901.9 Inter fund Transfer for Capital Projects

General bills were audited and approved. March 49-71, April 72-90

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