

A Regular Meeting and the final meeting of the year, for the Town of Constable was held on December 10, 2020 at 7:00 pm. Members present were Councilwoman Lemire, Councilmen Leahy, Patterson, and Wilson, Highway Superintendent Martin, Supervisor Onufer, Town Clerk Prue and Code Officer Halley.

Guests present were Dalton Patterson, IT, Tom McDonald, Realtor, Brad Bruso, Constable Resident and Deb Fleury, Constable Tax Collector.

A motion was made by Councilman Patterson and seconded by Councilman Wilson to accept the minutes from the November 19, 2020 meeting, motion carried.

The Re-organizational meeting will be held on January 14, 2021 before the regular meeting and will start at 7:00 pm.

Councilwoman Lemire advised the board that effective 12/31/2020 she is stepping down as the Deputy Supervisor. Councilman Wilson volunteered to fill this position.

Tom McDonald and Mr. Bruso explained why it is taking so long for the closing on the sale of the Old Town Hall/Adult Center. It is due the current pandemic and everything is going very slow. Mr. Bruso to reimburse the Town for the Electric Bill. Mr. Bruso asked for a key to the building so he can go in and check to make sure everything is fine. Mr. Bruso asked when the building was last assessed. A motion was made by Councilwoman Lemire and seconded by Councilman Leahy giving permission to Mr. Bruso to have the propane and electric changed to his name and for him to have access to the building prior to the final sale, motion carried. Mr. Bruso will have the propane turned over to his name and he will be paying the propane bills so there will be some heat in the Adult Center Side of the Town Hall Building.

Deb Fleury, Tax Collector, asked if anyone had any ideas how she should handle Collecting taxes. She would like to put a sign on the door explaining only 1 person is allowed in at a time and to wait in their car. The board thought that this would be just fine and Deb is to put an ad in the Telegram and Free Trader.

CODE OFFICER

Gordie went over his report for October and November. Gordie asked if the Town is interested in setting a new fee scale for solar projects. He reported that other towns have set a scale of \$1,000.00 per megawatt. Our current fee for Residential area is \$50.00. A new fee for Solar Projects to be determined. Tabled.

Gordie turned in \$65.00 for October and November fees.

The subject of a fine to charge residents who fail to get a building permit prior to starting their project. Tabled

A motion was made by Councilman Leahy and seconded by Councilman Wilson to accept Gordies report for October and November, motion carried.

IT/TECHINICAL SUPPORT

Dalton gave his report for November.

Dalton reported that there were no new comments or complaints on the Facebook page and everything is going as projected. He reported he wanted to get some new photos to post on the website.

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

SOLAR

Helios, nothing new to report.

OYA Solar hopes to be up and running the end of March 2021.

HIGHWAY

Highway Superintendent Martin gave his fuel usage report.

Highway Superintendent Martin reported he is working on the hazardous mitigation plan.

Highway Superintendent Martin reported the old truck sold for \$16,000.00.

Stebbins Road final payment received in the amount of \$13,493.86 and no new work has been done on the road.

Supervisor Onufer reported that settlement with Navistar Engine has been reached and we can expect a check in the amount of \$2,488.82.

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

Sand Pit – Nothing new to report.

Historic Marker – Nothing new to report.

A motion was made by Councilman Patterson and seconded by Councilman Leahy for a Highway Budget Amendment #8-2020, motion carried.

\$270.92 from DA 5110.4 Gen. Repair – Cont. Exp.
\$270.92 to DA 5130.2 Machinery Equipment

\$1,509.60 from DA 5110.1 Gen. Repair – Pers. Serv.
\$1,509.60 to DA 5140.1 Misc. Brush & Weeds - Personal Services

\$27.74 from DA 5110.4 Gen. Repair – Cont. Exp.
\$27.74 to DA 5140.4 Misc. Brush & Weeds – Cont. Exp.

\$3,000.00 from DA 5110.1 Gen. Repair – Pers. Serv.
\$3,000.00 to DA 5130.1 Machinery – Pers. Serv.

\$1,528.80 from DA 5148.1 Serv. for other Govts. - Pers. Serv.
\$1,528.80 to DA 5130.1 Machinery – Pers. Serv.

\$3,900.00 from DA 5110.4 Gen. Repair – Cont. Exp.
\$3,900.00 to DA 5130.4 Machinery – Cont. Exp.

\$2,000.00 from DA 5142.4 Snow Removal – Town Cont. Exp.
\$2,000.00 to DA 5130.4 Machinery – Cont. Exp.

\$2,215.87 from DA 5148.4 Snow Removal Other Govt. – Cont. Exp.
\$2,215.87 to DA 5130.4 Machinery – Cont. Exp.

Bills were audited and approved: Highway – 112 - 123

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

JUSTICE

Justice Wisnesky turned in \$817.00 for October with the Town keeping \$220.00.
Justice Wisnesky turned in \$682.00 for November and no voucher has been received from the Justice Dept.

TOWN CLERK

Town Clerk turned in \$172.00 for the month of November.

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

HUD

Nothing new to report on new grant status.

HUD Audit – Nothing new to report.

Supervisor Onufer presented a proposed Conflict of Interest resolution, which was read to all board members present and will be entered into the minutes. Town Attorney, Matt McArdle, wants to review this before it is passed.

Proposed Resolution reads as follows:

Resolution of the Town Board of the Town of Constable
Pertaining to Public Disclosure of Conflicts of Interest
Involving U.S. Department of Housing and Urban Development
Block Grant

At a regular meeting of the Town Board of the Town of Constable, Franklin County, New York held at Constable, New York in said Town on _____ at _____ PM.

The Meeting was called to order by Richard G. Onufer, Town Supervisor. The following were present:

Richard G. Onufer – Supervisor
Melanie Lemire – Councilwoman
Mike Leahy – Councilman
David Patterson – Councilman
Clyde Wilson – Councilman

The following, proposed, resolution was offered by Board Member _____, who moved its adoption, and seconded by Board Member _____, to wit:

WHEREAS, the Town of Constable, Franklin County, New York applies For and is awarded Small Cities Community Development Block Grant on a Periodic basis by the U.S. Department of Housing and Urban Development; and

WHEREAS, The Department of Housing and Urban Development, through 24 Code of Federal Regulations Section 570.611, prohibits the provision of Block Grant assistance to persons who have family ties to anyone who exercised

Any administration of a CDBG program or who are in a position to participate in a decision-making process or gain inside information with regard to such activities; and

WHEREAS, the Town Board of the Town of Constable is responsible for the Administration of the CDBG program; and

WHEREAS, certain members of the Town Board may have relatives, either by blood or marriage, who are otherwise eligible to receive funding through the project; and

WHEREAS, Department of Housing and Urban Development (HUD) regulations allow the Town Board to apply to HUD for an exception to the Conflict of Interest regulation on a case-by-case basis, but only after public disclosure of the conflicts; and

WHEREAS, if a public disclosure is made that a Town Board member has family ties to persons who would otherwise be eligible for Block Grant assistance, and the facts to be considered for a Conflict of Interest are discussed at a Town Board meeting; to wit:

NOW, THEREFORE, be it resolved as follows:

1. That the Town Attorney will made applications to HUD for an exception to the Conflict of Interest provisions pertaining to an individual or individuals that the Town Official or Town employee with whom said individual or individuals is related and that the Town Official shall abstain from exercising any functions or responsibilities with respect to the CDBG activities regarding such related individual;
2. That a copy of this resolution will be entered in the Minutes of the meeting of the Town Board of the Town of Constable when a disclosure is made that a Town Board Member has family ties to persons who would otherwise be eligible for Block Grant assistance and that a certified copy thereof will be forwarded to the United States Department of Housing and Urban Development.

The above Resolution was put to a roll-call vote as follows;

Richard G. Onufer – Supervisor
Melanie Lemire – Councilwoman
Mike Leahy – Councilman
David Patterson – Councilman
Clyde Wilson – Councilman

CAPITAL PROJECTS

DASNY – Nothing new to report

Dedication plaque – Nothing new to report

Work remaining on new town hall by Heritage Homes – Nothing new to report

Remaining furniture is scheduled to be delivered week of 12-15-2020.

A motion was made by Councilman Patterson and seconded by Councilman Leahy to move \$3,608.53 from Capital Projects Savings to General Fund Checking to pay RD 01/01/2021 interest on new town hall. Motion carried. This was \$23.30 less than the forecasted amount, therefore, \$23.30 had to be moved General Fund Checking and back into Capital Projects Savings.

Tree removal – nothing new to report.

Bills were audited and approved: Capital Projects 79 – 80

A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to Budget Amendment #5-2020, motion carried.

\$15,000.00 from Account #H909 – Fund Balance – Capital Projects
\$15,000.00 to Account #H1620.2 – Building & Capital Outlay

A motion was made by Councilman Wilson and seconded by Councilwoman Lemire to Budget Amendment #6-2020, motion carried.

\$504.00 from Account #H909 – Fund Balance – Capital Projects
\$504.00 to Account #9901.9 – Trans. – Other Funds.

A motion was made by Councilman Leahy and seconded by Councilman Wilson to accept the Capital Projects Report, motion carried

SUPERVISOR

Supervisor Onufer reported he received from the Real Property Office the Board of Assessment Review Member Listing and Bernie Martin's appointment expired 09/30/2020. A motion was made by Councilwoman Lemire and seconded by Councilman Leahy to reappoint Mr. Martin to another terms that will expire 09/30/2025, motion carried.

A motion was made by Councilman Leahy and seconded by Councilwoman Lemire to approved Local Law #1-2020 changing from 3 elected Assessors to 1

appointed assessor for a 6 year term. Motion carried.

Vote was as follows:

Councilman Leahy – Yes
Councilwoman Lemire – Yes
Councilman Patterson – Yes
Councilman Wilson – Yes

Supervisor Onufer reported that there is nothing new to report on the status of the Historical Society.

Supervisor Onufer reported that he has received information on “Local Governments Mandated to Prepare Detailed Plans Regarding Future Health Disaster Emergencies Involving a Communicable Disease” This will be put on the agenda for the January 2021 meeting.

It was the general consensus of the board to hold off on contacting Rec Park Director and Lifeguards for the 2021 summer season, pending the Pandemic we are in now.

Supervisor Onufer reported that \$7,120.72 was received for the 6 month mortgage tax which is an increase of \$983.87 from last year.

Supervisor Onufer reported that he contacted North Country Animal Shelter requesting their signed contract before the December board meeting.

Supervisor Onufer reported that he has been notified by CST that there may be an increase in fees for 2021.

[A motion was made by Councilman Wilson and seconded by Councilman Leahy for a General Fund - Budget Amendment #11-2020, motion carried.](#)

\$3,680.53 from Account #A909 – Fund Balance
\$3,680.53 to Account #9710.7 Interest Payment

[A motion was made by Councilman Wilson and seconded by Councilman Leahy for a General Fund - Budget Amendment #12-2020, motion carried.](#)

\$12.44 from Account #A1410.4 Town Clerk – Cont. Exp.
\$12.44 to Account #A1110.4 Justice Cont. Exp.

\$168.63 from Account #A3620.4 – Code Officer – Cont. Exp.
\$168.63 to Account #A1330.4 – Tax Collector – Cont. Exp.

\$61.45 from Account #A3620.4 - Code Officer – Cont. Exp.

\$61.45 to Account #A1355.4 – Tax Assessor – Cont. Exp.

\$126.97 from Account #A5132.2 – Garage - Equipment

\$126.97 to Account #A5132.4 – Garage – Cont. Exp.

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

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

Bills were audited and approved: General 226 - 242

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

A motion was made by Councilman Patterson and seconded by Councilwoman Lemire to accept the Supervisor's Report, motion carried.

A motion was made by Councilwoman Lemire and seconded by Councilman Wilson giving permission for the Supervisor to pay any bills that come in after the final meeting and before December 31, 2020, motion carried.

Motion to adjourn was made by Councilwoman Lemire at 8:50 P.M., seconded by Councilman Wilson, motion carried.