

The regular meeting for the Town Board of Constable was held on April 11, 2024 at 7:00 PM in the Town Office. Members present were Councilwoman Lemire, Councilmen MacDonald, Supervisor Onufer, Town Clerk Prue, Code Officer Halley Councilman Leahy, and Highway Superintendent Larry Martin was present via phone conference call. Councilman Wilson was absent.

Guests present were Guest Judy Gavin, Constable Residents Mario Lemire, Judy Gavin, Tammy Trombley and Tina Recore and Jacob Maclin, Rec Park Director Heidi Boshek, Constable Firemen James Gavin, Devin Recore, Chris Bouissey, Jason Trombley, Iris Shova, Lukas Kompan, Matt Kompan, Bruce Johnson and Chad Clement.

Councilman MacDonald audited the Supervisor's books.

On a motion by Councilwoman Lemire and seconded by Councilman MacDonald to accept the minutes from the March 14, 2024 regular meeting, motion carried.

On a motion by Councilman MacDonald and seconded by Councilwoman Lemire to accept the minutes from the March 28, 2024 public meeting, motion carried.

CODE OFFICER

Gordie gave his monthly report for the time period of February 6, 2024 – April 10, 2024.

NYS DOH expressed concerns over water for the apartments that are being built on State Route 122 in Constable. Turned over to Gordie.

The bill for the cleanup of the Sternisha property will have to go to court to get the Town reimbursed for the charges.

Supervisor Onufer was informed by Councilman Wilson that Mike McMahon may be interested in the Code Officer position.

Clean up of the property on State Route 30 may have to go to court.

Rental Inspections - 1 done week of April 7, 2024.

Local Flood Maps – nothing new to report.

SOLAR

Citrine – Received an email from Citrine on building permit.

Closed Landfill Solar - Nothing new to report.

Supervisor Onufer received an email that we have been approved for an upfront

\$10,000.00 grant. We have until the end of June to allocate the funds to be spent. ANCA is ready to help file the application for funds. On a motion by Councilwoman Lemir and seconded by Councilman MacDonald to move forward on having an EV Station installed but the location is yet to be determined. Supervisor Onufer to contact Alex LesVeaux regarding the NYSEG funding for an EV Station.

FIRE DEPARTMENT

Supervisor Onufer reported the Fire Dept. have been contacted regarding having a Drag Show in the Community Room. Supervisor Onufer sent them a copy of the Local Law that was passed in 2021. Exposure on personal body parts.

Supervisor Onufer reported that a response to the Town's Foil Request was received on April 9, 2024 just before the meeting time and board members have not had a chance to review this. A copy of the Fire Dept. minutes and bylaws were forwarded from their attorney to the Town's attorney and he has forwarded them to the town. The Town Board had questions on the minutes and bylaws. The bylaws – Article 3, Section 1, Re: membership, they are working on this and needs to verify a quorum.

The Town Board informed the Fire Dept. that having absentee ballots is a violation of Not-Gor-Profit Law.

**TOWN OF CONSTABLE
COUNTY OF FRANKLIN
STATE OF NEW YORK
RESOLUTION NO. 4- 2024**

**APPROVING VFBL COVERAGE FOR CONSTABLE VOLUNTEER FIREMEN INC. ACTIVE MEMBERS
DURING UNPLANNED RESPONSES**

WHEREAS, the Town Council of the Town of Constable wishes to adopt a resolution extending Volunteer Firefighters' Benefits Law ("VFBL") coverage to unplanned responses outside of the "home territory"; a fire district or territory outside of a fire district for which Constable Volunteer Firemen Inc. provides fire protection.

NOW, THEREFORE, BE IT RESOLVED, that the Town Council hereby approves the binding of VFBL benefits to any active volunteer member of Constable Volunteer Firemen Inc. providing assistance at an emergency scene outside of the home territory, provided that such volunteer member "happened" upon the call and is otherwise qualified to receive VFBL coverage; and be it further

RESOLVED, that this resolution shall take effect immediately.

MOTION BY: Councilman MacDonald

SECONDED BY: Councilwoman Lemire

Voting:

Councilman Leahy	Absent	
Councilwoman Lemire	Aye	
Councilman Macdonald		Aye
Councilman Wilson	Absent	
Supervisor Onufer		Aye

The resolution was duly adopted on April 11, 2024.

Susan Prue, Town Clerk

**Resolution for One-time Blanket Fire Department Membership
Resident of Town of Constable**

At a regular monthly meeting for the Town Board of the Town of Constable held on April 11, 2024, a motion was made by Councilman MacDonald and seconded by Councilwoman Lemire for Resolution #5-2024, motion carried.

Whereas, the individuals named on the attached list have been approved by the Constable Fire Department for a position as an active member.

Whereas, the individuals named on the attached list that resided in the Town of Constable at the time of their original application qualify as a member due to being a resident of the fire protection district of the town.

Now, therefore, the town hereby approves/denies membership of the individuals named on the attached list into the Constable Volunteer Fire Department effective the month of their membership application. This is a one-time blanket approval and supersedes all other approvals not covered by town resolution.

The following people are on this list of membership since 2012.

Fefee, Dylan
Gonzalez, Matthew
Lemire, Mario
Pierson, John
Reardon, Catherine
Reardon, John M.
Recore, Devin
Recore, Ryan (RAM)
Shova, Iris.

**Resolution for One-time Blanket Fire Department Membership
Resident of Neighboring Town**

At a regular monthly meeting for the Town Board of the Town of Constable held on April 11, 2024, a motion was made by Councilman MacDonald and seconded by Councilwoman Lemire, for Resolution #6-2024, motion carried.

Whereas, the individuals named on the attached list have been approved by the Constable Fire Department for a position as an active member.

Whereas, the individuals named on the attached list that resided in the Town of Constable at the time of their original application qualify as a member due to being a resident in the vicinity of the fire protection district in which the fire company is located and/or territory served by the fire company under contract for fire protection for cash consideration, and the percentage of active members in the fire company that reside outside the fire protection district, or such territory will not exceed forty-five percent (45%)

Now, therefore, be it resolved; the town hereby approves membership of the individuals named on the attached list into the Constable Volunteer Fire Department effective the month of their membership application. This is a one-time blanket approval and supersedes all other approvals not covered by town resolution.

The following people are on this list of membership since 2012.

Clement, Chad
Eick, John
Mick, Taylor
Mulverhill, Nathan
Rockhill, George

**Resolution for One-time Blanket Fire Department Membership
Resident of Territory Covered Under Contract**

At a regular monthly meeting for the Town Board of the Town of Constable held on April 11, 2024, a motion was made by Councilwoman Lemire, and seconded by Councilman MacDonald for Resolution #7-2024, motion carried.

Whereas, the individuals named on the attached list have been approved by the Constable Fire Department for a position as an active member.

Whereas, the individuals named on the attached list that resided in the Town of Constable at the time of their original application qualify as a member due to being a resident of a territory served by the Fire Department under contract for fire protection for cash consideration

Now, therefore, be it resolved; the town hereby approves membership of the individuals named on the attached list into the Constable Volunteer Fire Department effective the month of their membership application. This is a one-time blanket approval and supersedes all other approvals not covered by town resolution.

The following people are on this list of membership since 2012.

Kompan, Lucas

Kompan, Matus

Cell Tower – It appears as if everything is moving forward.

Tammy Trombley asked to approach the board with a statement she had written.

First off, I would like to thank the town board for allowing me to speak this evening. I would also like to thank Mr. Onufer for attending the brunch in support of the Fire Dept. and anyone else that attended I did not see. I would also like to apologize in advance as to I am a very loud person by nature there is no changing that, and when I get upset I get louder, So, by no means this is not disrespect it's just emotion and I am beyond upset!!! I am not here to fight or to get in a name calling match. Now with that being said;

As everyone here knows, I am a very strong and vocal advocate of the fire department. And for this, I am being personally attacked. My father was a founding member of the EMS department and my husband is a past chief and currently an assistant chief for the department. I am also, however, a tax payer in this town. My great grandparents, grandparents, parents and myself have lived in this town our entire lives. My grandfather, Bernard Tavernia, who sat on this town board many years ago, was also instrumental in having the statue placed in the Town Park, he was a World War 2 Veteran, and was a deputy sheriff in this county. So, as you can imagine, respect, honesty and integrity have been instilled in me since birth.

Imagine my disbelief, when I informed on March 30, 2024 that I was being accused of a federal tax crime. Tax fraud, Tax evasion. And without ANY sort of evidence to back these accusations. As a spouse of a fireman, we try and do anything we can to help the members of the fire department. This can include purchasing things for the department if we are available to do so. So let me provide you some REAL information. Not from Mr. Clyde Wilson, not from the fire department, but from the person being accused.

Yes, a Christmas tree and some ornaments were purchased for the department. The fire department has membership Christmas parties, as well as parties for local children and fundraisers surrounding the holidays that they decorate for. When the decorations for Christmas of 2023 were pulled from storage, we discovered that they had been ruined due to a critter infestation. And before anything is said, that issue has been rectified. So, I, along with a member of the fire department, went to the Dollar General, yes Mr. Wilson, the Dollar General, to purchase new decorations. This was at the

request of the chief and the proper documentation was given to me BY THE CHIEF with a budget of \$100.00. Not too difficult to spend \$100.00 on decorations these days. Because I shop around and look for deals before spending money. I was able to get all of the decorations, including the Christmas tree, in question. For under \$25.00. Not too shabby, right? (Copy of receipt for decorations is attached at the end of the minutes).

Mr. Wilson, your baseless accusations are not only insulting, but are a blatant attempt to defame the characters of not only myself, but my husband Jason, not only are your slandering our name we also have a small business if the False accusation was to become public you can imagine the damage to the good name and honesty of our business. Not only that! HOW DARE you try to damage the name of my husband this man has put 27 years just to this department. He drops everything at the drop of a hat when he hears the tones to go help someone in need whether it is a fire or rescue call, he has also been to 9/11 and also to Hurricane Sandi. How Dare you Disgrace my Husband with everything he sacrifices for this TOWN!!! And department along with current chief of the fire department, Chris Boussey, and the rest of the members of Constable Fire Dept.

Myself, along with several other tax-payers in this town have sat here for months listening to you spout off about the fire department about budgeting money and tracking money, I go shopping and save of \$100.00 and they you throw baseless accusations at multiple people. So, Mr. Wilson, would you please make up your mind which one you would like budget and save money or just spend it so you have something else to try to hold over these volunteers!!!!!!

If you only had an idea of the time and materials and donations that my husband and I have made personally to this department, you might think differently on how you treat us. Another instance you refer to in your accusations is the purchase of some cleaning supplies for the department. While the fire department was without a caretaker, I and some other ladies donated hours and hours making sure that the hall was clean for rentals. This act took the load off the volunteers that already give so much of their time. As soon as you caught wind of this transaction, you decided to ask Mr. Boussey to conduct an "internal investigation" on the transactions. And he was courteous enough to do so at your request. You know why? Because we have nothing to hide. Every single receipt that had to be turned in, was done so. (Copy of receipt for cleaning supplies is attached at the end of the minutes). On both occasions, I traveled from the Dollar General, straight to the fire station. Nowhere in between. When I arrived at the station some of the members came to my car and unloaded the purchases directly into the station. I would like the name of said person you have gotten your information from, because I have personally spoken to the Dollar General Manager and Assistant Manager, they have assured me that no employee called or reached out to you and you did not call the store and speak to either one of them. Your information came from a conversation overheard between management and they only relayed what they thought they heard. I have a written statement the assistant manager stating we do not abuse the I do not abuse the tax exempt and I always have the correct paperwork and for the day Christmas tree it was the assistant manager that rang me up because she recalled

that day and that I had made a point to ring up separate purchase of my personal products to keep separate from the departments!! (A copy of the statement is attached at the end of the minutes.

Well sir no more! I am requesting a Formal Complaint to be filed against Mr. Wilson. I am calling on the rear of the town board to hold Mr. Wilson accountable for his unprofessional and unethical actions toward myself and the fire department. The fire department has been under continuous scrutiny and the town board called for accountability. I am asking the town board to do the same. I would like a public apology from Mr. Wilson not only to me, but to my husband, Jason, Chris Bouissey and Jim Gavin for the blatant disrespect, baseless accusations, and unprofessionalism toward a volunteer organization that serves the community he was elected to serve as well. The difference is you were elected!!! These men and women are volunteers and they run into burning buildings when everyone else is running out and still till this day are continuing to be Volunteers!

Also, if the harassment and accusations continue, I will personally be seeking legal counsel for a civil suit. Again, Thank you for your time this evening.

Tax Break for the members of the Fire Department – Tabled.

The Town Board requested a copy of their truck payment bill.

Councilwoman Lemire asked for updated training certificates – this is being worked on.

Fire Dept. reported that they are working on the grants and hope to be successful.

A motion was made by Councilman Leahy and seconded by Councilman MacDonald to lift the moratorium on new members; motion carried.

Update if any on advisory board. Councilwoman Lemire and Councilman Wilson. Jim Gavin stated that when the board reads the email from their attorney, they will have an answer.

The board requested a copy of the budget vs actual expenses for 2023.

Councilman MacDonald made a motion to close the fire department section of the meeting. This was seconded by Councilwoman Lemire, motion carried.

HIGHWAY

Highway Superintendent Martin reported that there will be a town wide brush and lawn debris clean up from April 22, 2024 – April 30, 2024. Ad to be placed in the Telegram.

A shared services agreement was received from Franklin County, this was signed and returned.

\$85.00 was received from Helm Storage for the scrap metal in the dumpster at the Town Garage.

Highway Superintendent Martin reported the newest plow truck was being driven by Highway Dept. employee John Mallette and it was rear ended by a fully loaded dump truck. Thankfully, John was not seriously injured. The truck was towed to Alleg. Trucks in Plattsburgh to have the damage evaluated.

Update on the Craig Tatro accident report – nothing new to report.

Supervisor Onufer reported receipt of a check in the amount of \$38,275.76. This represents 2nd partial payment on the 2023-2024 Snow & Ice Contract.

Update on 50-mile radius prevailing wage - nothing new to report.

Update on Griffin Road Bridge - nothing new to report.

Update on speed monitoring sign on Poplar St. by the Rec Park - nothing new to report.

The Emergency generator has been installed at the Highway Garage and a propane tank needs to be purchased. A service contract in the amount of \$250.00/year has been purchased and starts in 2025.

Highway Superintendent Martin gave his report for March 2024 for all board members to review. A motion was made by Councilwoman Lemire and seconded by Councilman MacDonald to accept the Highway Dept. Fund Monthly Statement, motion carried.

Highway Superintendent requested a time clock at the town garage.

Supervisor Onufer presented the Highway Dept. Fund Monthly Statement for March 2024 for all board members to review. A motion was made by Councilman MacDonald and seconded by Councilman Wilson to accept the General Fund Monthly Statement, motion carried.

Highway Dept. bills were audited and approved #27- #41.

ASSESSOR

Assessor requested to hire someone to update the property cards. A motion was made by Councilman MacDonald and seconded by Councilwoman Lemire to hire someone at \$20.00/hour plus mileage at \$.65 per mile. Starting at Town Hall and ending at Town Hall. The charges are not to exceed \$5,000.00. This is to be paid from the funds from the sale of the Old Town Hall building.

Supervisor Onufer reported he signed the contract with David Mace, Data Collector.

Senior Citizens tax break – tabled.

HUD

Supervisor Onufer gave the monthly report.

5 projects and all are just about completed.

Supervisor Onufer reported that we need to approve and advertisement to go out to property owners for future grants.

A motion was made by Councilman MacDonald and seconded by Councilwoman Lemire to accept the HUD report, motion carried.

WEBSITE

Sent public notice to North Shore on the data collection to put on our website.

Sent a public notice for code officer position.

Rec Park

Received an email from Architect, Brooks, that the bids for park renovations should be going out in 6 weeks.

Community Grant Funds from Community Bank – nothing new to report.

Update on pavilion bench, will be worked on when weather permits.

Park Director, Heidi Boshek, gave a report of what she would like to accomplish this summer.

The park cleanup will be in June.

Councilman MacDonald made a motion to approve the Rec Park Report, this was seconded by Councilwoman Lemire, motion carried.

TOWN JUSTICE

March funds collected were \$1572.00 and no voucher has been received as of yet.

TOWN CLERK

Town Clerk turned in \$64.00 for March 2024.

A motion was made by Councilwoman Lemire and seconded by Councilman MacDonald to accept the Town Clerk's report, motion carried.

CAPITAL PROJECTS

Capital Project Bills were audited and approved. #3

GENERAL

Supervisor Onufer reported receipt from comptroller's office a new accounting manual 138 pages. Councilwoman Lemire requested a copy and Supervisor to send to her.

Supervisor Onufer reported receipt of copy of Insurance Notebook from Sid G. Spear, agency has been sold.

Employee handbook being worked on.

Update on broadband – Being worked on.

Update on ARPA funds reporting – being worked on.

Update on password manager – nothing new to report.

The annual financial report is being worked on and should be filed by the end of the month.

Savings Statements and Trial Balance for March 2024 was presented for all board members to review.

Supervisor Onufer presented the General Fund Monthly Statement for March 2024 for all board members to review. A motion was made by Councilman MacDonald and seconded by Councilwoman Lemire to accept the General Fund Monthly Statement, motion carried.

General Bills were audited and approved. #46 - #65

A motion was made by Councilwoman Lemire and seconded by Councilman MacDonald for Budget Amendment #1-2024, motion carried.

\$456.00 from Account #A-909 – Fund Balance – American Rescue Plan funds
\$456.00 to Account #A-9901.9 – Interfund Revenue

A motion was made by Councilman MacDonald and seconded by Councilwoman Lemire for Budget Amendment #2-2024, motion carried.

\$467.21 from Account #-1990.4 - Contingency

\$467.21 to Account #A-1910.4— Unallocated Insurance

A motion to adjourn was made by Councilman MacDonald, seconded by, Councilwoman Lemire, motion carried. Meeting was adjourned at 9:30 pm.

Susan Prue, Constable Town Clerk