

**Mexico Town Board  
Minutes of the Regular Meeting  
Held February 14, 2022 at the McAuslan Hall  
Commencing at 7:00 P.M.**

Present: Eric Behling, Supervisor  
Larry Barber, Councilor  
Judy Greenway, Councilor  
Russell Partrick, Councilor  
Cindy Robert, Councilor  
Graham Seiter, Town Attorney  
Elizabeth Dishaw, Town Clerk  
Nicole Wild, Deputy Town Clerk  
Ned Waterbury, ZBA Chairperson  
Nancy Weber, Planning Board Chairman  
Russell Marsden, Highway Superintendent  
Richard Diehl, Park Manager  
Diane Chepko-Sade, President of Friends of Mexico Point Park  
Ian Yerdon, Engineer  
Tanner DeWolf, Engineer

Absent: Ron Marsden, Zoning Officer  
Carrie Bond, Mexico Point Park Caretaker  
Terry Grimshaw, Water Commissioner  
Jack Spriggs, Dog Control  
Hon. John Moretti, Judge  
Susan Gentile, Assessor

And 19 in the audience.

Supervisor Behling opened the regular Town Board meeting at 7:29pm with the Pledge of Allegiance.

**Resolution 2022- 8 Approval of Minutes**

A motion was made by Councilor Robert and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the minutes from the January 18, 2022 Town Board meeting.

**Communications:**

- Letter from Seiter Law re: Violations on Co Rt 64
- Homeland Security re: Availability of FEMA Funds
- Water Inspection Report
- C2AE Grant Application
- American Rescue Plan Act
- Office of Real Property
- Attorney Seiter Letter re: Opinion on WD #6
- Attorney Seiter Letter to Comptroller re: WD #6

Public Comment and Concerns: none

**Reports:**

Honorable John Moretti- could not be in attendance

Town Clerk/Tax Collector/Water Clerk- A motion was made by Councilor Greenway and seconded by Councilor Robert to accept the January report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Dog Control Officer- A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Zoning Officer/Building Inspector- A motion was made by Councilor Robert and seconded by Councilor Greenway to accept the report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Assessor- could not be in attendance

Community Park- Diehl reported that playground equipment has arrived and shared a draft of common courtesy rules that he would like to establish for the leagues using the park.

Mexico Point Park- Chepko-Sade explained that the shared memorandum of understanding between the town and NYS Department of Parks and Recreation will expire soon and that Friends of Mexico Point Park are waiting for updates regarding grant proposals. A motion was made by Councilor Partrick and seconded by Supervisor Behling to accept the report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick and Robert, and 0 nays.

Planning Board- Chairwoman Weber said that, due to the high volume of work before both Planning and Zoning boards, they have to postpone their report on accessory use to the March town board meeting. A motion was made by Councilor Greenway and seconded by Councilor Robert to accept the report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick and Robert, and 0 nays.

Zoning Board of Appeals- Chairman Waterbury said that the ZBA will hold a public hearing for RIC Solar prior to their regular meeting next week and is currently their only agenda item. A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the ZBA report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick and Robert, and 0 nays.

Water Commissioner- could not be in attendance.

Supervisor- A motion was made by Councilor Greenway and seconded by Councilor Barber to accept the report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick and Robert, and 0 nays.

Water District Update- Yerdon said that ballfield drainage is to begin late March after the spring thaw. Yerdon said that water service area (WSA) 6 is waiting on approval from Rural Development; the comptroller application has been submitted by our attorney and approval is pending but the survey is done and base mapping is complete. Yerdon explained that comptroller approval allows short term financing to proceed; communities pay for design out of general fund and reimburse their general fund after the loan is obtained. Yerdon is requesting the town to do this; the design phase fee is \$400,000 and will probably take 4-6 months.

Councilor Robert stated that a large ballfield at the community park needs to be resurrected and dugouts and drainage need to be completed by the end of April in order to serve the league. Robert said she is working with others to research grant writing

possibilities for the park. A motion was made by Councilor Robert and seconded by Supervisor Behling to accept the WSA #6 report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick and Robert, and 0 nays.

#### **Resolution 2022- 9 Payrolls**

A motion was made by Councilor Greenway and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the January payroll.

#### **Resolution 2022- 10 Local Laws of 2021/2022 Renumbering**

Seiter explained the renumbering of local laws is strictly for filing purposes. A motion was made by Councilor Partrick and seconded by Councilor Greenway to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the renumbering of local laws 2 and 3 of 2021 to local laws 1 and 2 of 2022.

#### **Resolution 2022- 11 Local Law 3 of 2022- Temporary Sawmill Moratorium**

Seiter reviewed the local law and suggests to enact a new zoning law during the moratorium within 3 months. Greenway stated that no zoning law regarding sawmills currently exists so the temporary moratorium would give both boards time to create a record that will exist to solidify rules that apply to sawmills. Councilor Robert urged the boards to consider inviting panel members to the discussion. Councilor Partrick asked to remove “portable” from the sawmill moratorium law. Weber clarified that portable sawmills are being used for commercial purposes and the concern is that public consumers are coming onto the property; the Planning Board’s responsibility is safety. Councilor Partrick asked that only sawmills for commercial purposes be part of the temporary moratorium. Seiter said “portable” can be struck because commercial use sawmills are what need to be considered. Weber said the sale of lumber and products made from the lumber are considered part of the commercial use. Seiter will strike “portable” and refer to “commercial saw mills” in the law.

A motion was made by Councilor Greenway and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves Local Law 3 of 2022- Temporary Sawmill Moratorium with the amendments of striking “portable” and referring only to “commercial saw mills.”

#### **Resolution 2022- 12 Addition of EDU to New Consumer**

A motion was made by Councilor Greenway and seconded by Supervisor Behling to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the addition of an EDU to the assessment of one new consumer on State Route 104B in water service area 2. NYS Tug Hill Training- shared for board information purposes.

#### **Resolution 2022- 13 Appoint Town Clerk**

Supervisor Behling congratulated Town Clerk, Liz Dishaw, on her 20 years of service to the town and presented her with a plaque. Dishaw addressed the board and thanked them for their cooperation over the years. A motion was made by Supervisor Behling and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the appointment of Nicole Wild to Town Clerk beginning March 1, 2022.

**Resolution 2022-14 NYSTCA Conference Approval**

Wild requested use of budgeted funds to attend the annual NYS Town Clerk Association training conference. A motion was made by Councilor Partrick and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the used of budgeted funds, not to exceed \$1,000, for the Town Clerk to attend the NYSTCA training conference.

Museum Roof- Councilor Barber and Councilor Partrick agreed to create specs for the museum roof replacement job so that updated bids can be obtained. The board tabled the matter for the March town board meeting.

**Resolution 2022-15 Schedule of Wages**

Councilor Partrick said that lifeguards are underpaid given their responsibility. Greenway asked for clarification about the assistant to the clerk to the supervisor and said that all assistant clerks should receive the same hourly rate. Greenway said she would like the payroll to reflect when work is part time. A motion was made by Councilor Partrick and seconded by Supervisor Behling to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the 2022 Schedule of Wages.

Town Clock Maintenance Agreement- Supervisor Behling reviewed the proposed regular maintenance schedule and asked the board to table the matter until the March town board meeting.

Grant Writing- Supervisor Behling explained Trudell's work to establish a grant-writing program for the Town of Mexico and said that he would love the board to support her with training.

**Resolution 2022- 16 Public Hearing for Western Star Truck**

Greenway asked why a permissive referendum is needed. Seiter said that BANs are required to have a public hearing. A motion was made by Councilor Barber and seconded by Councilor Partrick to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves a public hearing on a bond anticipation note for a Western Star truck to be held at 7 p.m. on March 14, 2022 at McAuslan hall.

**Resolution 2022- 17 Purchase ¾ Ton Pick-Up Truck**

Superintendent Marsden explained that an employee was involved in a vehicle accident, resulting in the vehicle being totaled. Marsden said that no one was harmed but that the truck needs to be replaced. A motion was made by Councilor Greenway and seconded by Councilor Barber to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the purchase of a ¾ ton pick-up truck in the amount of \$57,761.00.

Other Business:

A motion was made by Councilor Greenway and seconded by Councilor Partrick to enter executive session to discuss ongoing litigation. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

The board entered executive session at 8:49 p.m.

The board exited executive session at 9:22 p.m. No action taken at executive session.

Highway Part-Time Employee Pay Raise- the board will table the matter until March.

Assistant Park Manager- the board will table the matter until March in order to see job description and pay rate before approving the appointment.

#### **Resolution 2022- 18 Audit of Claims**

A motion was made by Councilor Greenway and seconded by Councilor Robert to approve the following resolution. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Resolved that the bills for Abstract 13 have been reviewed by the Town Board and are authorized for payment in the following amounts:

General A Fund	voucher # 25 to 52	\$	193,482.42
General B Fund	voucher # 10 to 19	\$	14,856.52
Highway Fund	voucher # 12 to 32	\$	81,167.42
Water	voucher # 3 to 7	\$	379,049.12
Special Districts	voucher # 3 to 4	\$	51,765.71

A motion was made by Councilor Partrick and seconded by Supervisor Behling to adjourn at 9:27 p.m. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, and Robert, and 0 nays.

Respectfully submitted,

Nicole Wild  
Deputy Town Clerk