

Mexico Town Board
Minutes of the Regular Meeting
Held April 11, 2022 at the Town Hall
Commencing at 7:00 P.M.

Present: Eric Behling, Supervisor
Larry Barber, Councilor
Judy Greenway, Councilor
Cindy Robert, Councilor
Graham Seiter, Town Attorney
Nancy Weber, Planning Board Chairwoman
Russ Marsden, Highway Superintendent
Diane Chepko-Sade, Friends of Mexico Point Park
Terry Grimshaw, Water Commissioner
Ian Yerdon, C2AE Engineer
Tanner DeWolf, C2AE Engineer
Nicole Wild, Town Clerk

Absent: Russell Partrick, Councilor
Ned Waterbury, ZBA Chairman
Richard Diehl, Park Manager
Ron Marsden, Code Enforcement Officer
Carrie Bond, Mexico Point Park
Jack Spriggs, Dog Control Officer

And 3 in the audience.

Supervisor Behling opened the regular Town Board meeting at 7:03pm with the Pledge of Allegiance.

Resolution 2022-27 Approval of Minutes

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 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Resolved the Mexico Town Board approves the minutes from the March 14, 2022 Town Board meeting.

Communications:

- Letter re: Village Crosswalk Safety

Public Comment and Concerns:

none

Reports:

Hon. John Moretti- Moretti said the courthouse has safety issues including ice buildup falling off the courthouse at the side entrance. Moretti said drainage is a problem for employees and patrons entering and exiting the building. Moretti said the ice problem has existed for 3 years. Barber said design drawings are completed and a bid can be put out. Moretti asked if there would be a solution for next winter. Barber said the scope of the project includes means to address drainage and ice buildup. Moretti asked for an update. Barber confirmed that it has not been put out for bid. Barber will contact Maryak for a bid specifications statement. Barber said the sidewalk to the corner of the building will be covered. Gracey said the courthouse needs to expand their second clerk's time, citing the amount of paperwork. Gracey asked the second clerk to have as much time as the first clerk for the 2023 year. Greenway asked if the clerk is full time. Gracey said the clerk is 20 hours, second clerk is 15-20 hours per month and he would like 20 hours per week. Gracey said the second clerk probably puts in more time than she notes. Moretti said a typical court of similar size gets around 30 to 40 hours per week and are salary.

Town Clerk – A motion was made by Councilor Greenway and seconded by Councilor Robert to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Dog Control- A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Zoning Officer/ Building Inspector- A motion was made by Councilor Robert and seconded by Councilor Greenway to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Highway Superintendent- A motion was made by Councilor Greenway and seconded by Councilor Robert to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Parks Manager- Diehl could not be present. Yerdon said the drainage project starts Wednesday, April 13th. A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Mexico Point Park- Chepko-Sade said the fireworks for 2022 are not paid for but town agreed to pay for them and will ask Young Explosives to send a new invoice. Chepko-Sade reviewed the misunderstanding that occurred regarding payments or rollover payments due to cancellations of the show related to Covid. Chepko-Sade said if you sign the contract early in the Fall, you get a discount; the contract was signed but the bill for 2022 is not yet paid.

Chepko-Sade said the Friends of Mexico Point Park is waiting for word on grant proposals. Chepko-Sade said a memorandum of understanding from NYS Parks and Rec needs to be completed; the Friends of Mexico Point Park have to have their own insurance, which is the last piece before the memorandum of understanding is completed. Chepko-Sade reminded the Board that the grant proposal is for the accessible trail with extensive signage. Supervisor Behling paraphrased Carrie Bond's report. Robert mentioned needing help moving picnic tables at the park and asked if the Highway Department could help. Marsden agreed to help. A motion was made by Councilor Robert and seconded by Councilor Greenway to accept the

March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Planning Board-

Weber announced that she will provide a joint update from the Planning Board and Zoning Board of Appeals. Weber handed out an addendum to the accessory use information from the comprehensive plan that is referred to in the accessory use report from last month's report. Weber said both boards have been working with the RIC energy company regarding the applications for a 5-megawatt solar farm. Weber said the ZBA approved area variance and special use permits on March 21st, 2022 at their regular meeting. Toth said the ZBA and Planning Boards spent months of time and effort to vet the project and expressed thanks to Seiter and Wild for their contributions. Toth thanked the Planning Board and recognized the work both boards put in and cited the benefit to the town and school district. Toth said it's a large capital investment and taxes from the project will provide financial benefit to the school district, town, and county as well as provide an opportunity for reduced electrical cost to Mexico residents. Toth believes the project will put Mexico in a positive light.

Greenway expressed disappointment that farmland would be used for a solar farm. Behling said the boards did their best to use land that may not be ideal farmland. Barber asked how many acres are part of the project. Toth said 25 acres for the solar farm itself but the total site is 50 acres. Toth said the ground is currently fallow. Toth said the plan is 25 years but a PILOT is 20 years. Toth said there is a decommissioning bond. Seiter said this project has the Town reaching grid capacity. Toth said the solar farm near I-81 & Tinker Tavern is a 5-megawatt facility. Seiter said the transfer station is close to the lot. Weber said Oswego County Soil & Water gave an evaluation on the farmland and they concluded it is not drained with drainage tiles and that, despite prime farmland existing on the site, they are small pockets of prime land soil types. Weber said the land has not been cropped for two seasons due to drainage.

Weber said the wooded portion will be forever wild and that the solar farm at that location would be to Mexico's benefit. Weber said it will exhaust the wattage available to the town, making this essentially a one and only solar farm within the Town. Weber explained the thought process of the planning and zoning boards. Toth explained the requirements the ZBA placed on the special use permit.

Weber said the board spent essentially two meetings on the sawmill law, inviting the ZBA, and starting with a rough draft by Seiter of a potential local law. Weber explained their process for arriving at the draft that is before the board tonight. Seiter said he researched similar existing laws together with previous sawmill permits before the ZBA and Planning Board, leading to a comprehensive set of guidelines. Seiter said there are 10 commercial mills in the Town currently. Judy asked if previous mills are grandfathered. Seiter said yes; previous mills do not need to be updated according to the new law but if changes are made to the site, they need to apply for a new special permit under the new law. Seiter said he used other towns for basic definitions in the law and amended other town's laws to fit what Mexico needed. Robert said she wants to see the comparison of other townships used for information. Seiter said those town laws have been adapted to Mexico. Seiter said he would Robert that information. Robert asked if other businesses have similar restrictions.

Seiter clarified ingress and egress relating to turnaround and circular driveways. Weber said residential vehicles in combination with a mixture of tractor trailers and vehicles with

trailers, is a safety concern. Weber said safety is the primary concern; safety and liability for the Town of Mexico is a concern and both boards felt compelled to address it. Seiter said the law was designed with all residents in mind. Greenway asked how many of the existing mills would fit into this law as they are now. Weber said all of them would. Weber said they all have either a turnaround or circular drive, parking, etc. Weber said the setbacks would not necessarily fit from existing mills, which was part of why the law was needed- to maintain consistency. Seiter said consistency was difficult without the law and that the board should review the law and urged the board to set the date for the public hearing so as not to have to extend the moratorium.

Weber said there are stringent laws for businesses and ADA compliance is a federal law. Weber said it has been explained for every permit issued. Toth added that the draft is for the Town Board's review and for public comment. Toth said the purpose of the law is consistency when applying for a sawmill special use permit. Weber said that a common concern during public hearings was noise and suggests the Town purchase a decibel meter for the Code Enforcement Officer to measure noise from mills as well as the solar panel site. Behling suggested setting a special meeting to discuss the sawmill law later this month. Weber said the boards have been trying to be fair, open, and helpful to permits that are required by the local law and the boards became overwhelmed with individual sawmill application without guidelines. Trudell said this will be a benefit for sawmill applicants because the guidelines will make the set-up of the business clear. A motion was made by Councilor Greenway and seconded by Councilor Robert to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Water Commissioner- A motion was made by Councilor Robert and seconded by Councilor Greenway to accept the March report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Supervisor- Behling accepted \$13,000 to settled litigation with Oswego County regarding snow removal. A motion was made by Councilor Robert and seconded by Councilor Greenway to accept the March and Quarterly Report as presented. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, and Robert, and 0 nays.

Water District Update- Greenway said she would like the town to mail the questionnaires to WSA 7 residents and will review the format C2AE uses for the questionnaires. Barber asked water pipe 8" price. Yerdon said PVC is \$42/foot for materials and installation. Ian said fuel prices drive the price of PVC. Yerdon said Design on WSA #6 may be ready to bid this winter. Behling said he does not want to tax residents until the project is imminent. Yerdon suggested holding off on the BAN as long as possible. Yerdon said Rural Development has a cost overrun request, which the Town did with WSA #5. Yerdon said once the job is bid and numbers are in, they can create a plan. Seiter said WSA #6 is not yet approved by the state comptroller. Seiter explained that the original public notice did not include the list of properties in the water district and that a new public notice including the list of properties will be published immediately. Yerdon said the current plan would be to bid the project this winter and add EDUs to 2023 town/county property taxes. Yerdon said the Palermo water project will connect to the Town line on St Rt 3; Palermo's local law was adopted recently but the project is not ready to go to construction. Yerdon said Palermo and Mexico will eventually need an IMA in place.

McAuslan Hall Update- Barber will give both justices the sketches of the portico design. Greenway said a company from Pennsylvania installed the new hammer and they do not maintain the bell. Greenway said she wants the clock face to stay in the town. Behling said the purpose of the yearly contract is to maintain the bell. Greenway will follow up with White's regarding the scope of work. Barber suggested inquiring if the new striker suggested in the quote will increase the volume of the bell.

Website Presentation- Victoria Gailinas gave a presentation to the board regarding the design and build of a new town and village shared website.

Resolution 2022-28 Website

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 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board approves a shared Town and Village website by iHeartCorp not to exceed \$4,500 for the initial design, build and first year of maintenance, nor to exceed \$1,200 for two more consecutive years of maintenance.

Resolution 2022-29 Payrolls

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 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board approves the March payroll.

Resolution 2022-30 Appoint ZBA Member

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 3 ayes: Barber, Greenway, Robert, 0 nays, and 1 abstention: Behling.

Resolved the Town of Mexico Board appoints Lori Behling to the Zoning Board of Appeals.

Resolution 2022-31 Museum Roof

A motion was made by Councilor Barber and seconded by Supervisor Behling to approve the following resolution. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Mexico Town Board authorizes the clerk to advertise the Museum Roof repair for bid.

Resolution 2022-32 Community Park Dugout Project Change Order

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 3 ayes: Behling, Greenway, Robert, and 1 nay: Barber.

WHEREAS, constructions costs have increased since the original bid was approved,

WHEREAS, the updated dugout project bid has increased,

NOW, THEREFORE, BE IT

RESOLVED, the Town of Mexico Board approves the Community Park Dugout Project Change Order not to exceed \$8,200 per dugout.

The anticipated start date is April 18th.

Resolution 2022-33 Purchase Computer

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 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board approves the purchase of a new computer for the Code Enforcement Officer not to exceed \$1,500.

Resolution 2022-34 Schedule Public Hearing for Sawmill Law

A motion was made by Supervisor Behling and seconded by Councilor Greenway to approve the following resolution. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board schedules a Public Hearing for May 9, 2022 at 7:00PM at McAuslan Hall 3245 Main Street.

Resolution 2022-35 Schedule Special Meeting for Sawmill Law

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 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board schedules a Special Meeting to discuss the Sawmill Law for April 25, 2022 at 12:00PM at the Town Hall 64 S. Jefferson Street.

Resolution 2022-36 Schedule Public Hearing for WSA#6

A motion was made by Supervisor Behling and seconded by Councilor Greenway to approve the following resolution. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the Town of Mexico Board schedules a Public Hearing for May 9, 2022 at 7:00PM at McAuslan Hall 3245 Main Street.

Resolution 2022-37 Audit Claims

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 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Resolved the bills for Abstract 4 have been reviewed by the Town Board and are authorized for payment in the following amounts:

| | | | |
|------------------------|--------------------|----|------------|
| General A Fund | voucher #83 to 106 | \$ | 14,896.50 |
| General B Fund | voucher #27 to 35 | \$ | 47, 808.20 |
| Highway Fund | voucher #53 to 76 | \$ | 31, 544.05 |
| Water Fund | voucher #9 | \$ | 1,950.00 |
| Special Districts Fund | voucher #7 | \$ | 488.94 |

A motion was made by Councilor Greenway and seconded by Supervisor Behling to adjourn the meeting at 9:37pm. The motion was adopted by a vote of 4 ayes: Behling, Barber, Greenway, Robert, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk