

Mexico Town Board
Minutes of the Regular Meeting
Held May 9, 2022 at McAuslan Hall 3245 Main St. Mexico
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
Nancy Weber, Planning Board Chairwoman
Ned Waterbury, ZBA Chairman
Russ Marsden, Highway Superintendent
Richard Diehl, Park Manager
Carrie Bond, Mexico Point Park
Diane Chepko-Sade, Friends of Mexico Point Park
Terry Grimshaw, Water Commissioner
Ian Yerdon, C2AE Engineer
Tanner DeWolf, C2AE Engineer
Nicole Wild, Town Clerk
Ron Marsden, Code Enforcement Officer

Absent: Jack Spriggs, Dog Control Officer

And 9 in the audience.

Supervisor Behling opened the regular Town Board meeting at 7:20pm with the Pledge of Allegiance.

Resolution 2022-38 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, 0 nays, and 1 abstention: Partrick.

Resolved the Mexico Town Board approves the minutes from the April 11, 2022 Town Board meeting.

Resolution 2022-39 Approval of Special Minutes

A motion was made by Councilor Partrick 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, 0 nays, and 1 abstention: Greenway.

Resolved the Mexico Town Board approves the minutes from the April 25, 2022 Town Board Special meeting.

Communications

- NYS DEC Notice of Completed Application for Earl Ladd- Gravel Pit
- Salvatore Lanza Attorney re: Public Health Nuisance Complaint
- Oswego County Industrial Development Agency re: Public Hearing Notice
- Village of Mexico Commissioner Fee Resolution

Public Comment

Jeff Beardslee would like to donate placards for the Community Park, explaining the individuals after which each field is named.

Concerns were: The lawsuit with Oswego County regarding snow removal and what the settlement entails. Marsden said a committee has been formed among neighboring towns and a meeting will take place soon. Behling said the town is working with the county on other matters as well. Marsden said we maintain 66 miles of town and there are 12.15 miles of county roads in the town.

Reports

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

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

Zoning Officer/Building Inspector- A motion was made by Councilor Robert and seconded by Councilor Partrick to accept the April report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays. Greenway asked if Marsden is switching over to square footage for determining permit fees, as opposed to estimated cost of the project. Marsden is moving forward as per the board's decision. Councilor Partrick asked for a recommendation at the June meeting.

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

Parks Manager- Diehl said soccer and little league are using the park. The dugouts are complete but ruts left from work need to be fixed. Broken pipes have been fixed; the drainage is installed and cleanup is in progress; playground drainage is in progress. Diehl thanked the Village DPW for removing chips from the old playground since the Town equipment was too large for the area. Partrick asked if the contractors have been paid in full. Diehl will inform the board when the work is complete. A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the April report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays.

Mexico Point Park- Chepko-Sade said beach cleanup was a success and discussed I Love My Park Day. The CNY Arts grant was not awarded to the park, which means the Celebration of the Arts is cancelled. However, the fireworks and concert are moving ahead as planned. Bond said a foot wash station would help keep sand out of the sinks in the bathhouse; a new flag is needed; a utility cart would be helpful for clean-up; a disabled parking sign is missing; the caretaker cottage riser for septic tank needs fill. Partrick said he will call about filling the riser

space with topsoil. Bond said a memorial bench owner would like to install a cement slab under the bench. A motion was made by Councilor Partrick and seconded by Councilor Greenway to accept the April report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays.

Planning Board- Weber said board members completed their annual training provided through the Tug Hill Commission. A motion was made by Councilor Robert and seconded by Councilor Partrick to accept the April report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays.

Zoning Board of Appeals- Waterbury said the only new item is an application for a bait and sporting goods shop near the intersection of St. Rt. 3 and St. Rt. 104B. A motion was made by Councilor Greenway and seconded by Supervisor Behling to accept the April report as presented. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays.

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

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

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

McAuslan Hall Update- Eric Henderson from White's Clock and Carillon explained the condition of the bell in the clock tower. Henderson submitted a proposal to replace the head bolt and an updated copy of a yearly maintenance agreement. Henderson said the volume of the bell was adjusted in December 2021. Barber said the striker has been modified since December.

Grimshaw left at 8:06 pm.

Resolution 2022-40 Payrolls

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, Robert, and 0 nays.

Resolved the Mexico Town Board approves the April payroll.

Resolution 2022-41 Museum Roof Repairs

The bids were opened for the roof repairs. Anthony M. Pauldine General Contractors Inc. bid was \$8,600 for the specifications provided in the bid packet.

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 3 ayes: Behling, Barber, Partrick, 2 nays: Greenway, Robert.

Resolved the Mexico Town Board accepts the bid for \$8,600 submitted by Anthony M. Pauldine General Contractors Inc.

Resolution 2022-42 Flag & Flagpole Purchase

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

Resolved the Mexico Town Board approves the purchase of new flags for the Community Park, Courthouse, Mexico Point Park as well as a new flag pole for the Courthouse not to exceed \$500.

Resolution 2022-43 Junkyard License Renewal

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, Robert, and 0 nays.

Resolved the Mexico Town Board approves the renewal of a Junkyard License for Trevor Race.

Resolution 2022-44 Placards at Community Park

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

Resolved the Mexico Town Board accepts the donation from Jeff Beardslee consisting of placards placed on each field at the Community Park.

Resolution 2022-45 Concrete Slab for Memorial Bench

Partrick asked that future benches be approved by the Town Board. Partrick said other benches do not have concrete slabs and would like them all to match. A motion was made by Councilor Greenway and seconded by Councilor Partrick to approve the following resolution. The motion was adopted by a vote of 4 ayes: Behling, Greenway, Partrick, Robert, and 1 nay: Barber.

Resolved the Mexico Town Board approves the addition of mulch under the memorial bench.

Resolution 2022-46 McAuslan Hall Bell Head Bolt

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 4 ayes: Behling, Greenway, Partrick, Robert, and 1 nay: Barber.

Resolved the Mexico Town Board approves White's Clock & Carillion to make repairs to the McAuslan Hall Bell head bolt not to exceed \$750.

Resolution 2022-47 Establishing Water Service Area 6

On motion made by Eric Behling, and seconded by Russell Partrick,
BE IT RESOLVED as follows:

Eric Behling, Supervisor	<u>Aye</u>	Nay
Judy Greenway, Councilman	<u>Aye</u>	Nay
Larry Barber, Councilman	<u>Aye</u>	Nay
Russell Partrick, Councilman	<u>Aye</u>	Nay
Cynthia Robert, Councilman	<u>Aye</u>	Nay

WHEREAS, the Town Board has been asked to consider the formation of a water service area in the Town of Mexico to be known as the Town of Mexico Water Service Area No. 6, pursuant to Article 12-C of the Town Law of the State of New York; and

WHEREAS, a Map, Plan and Report prepared by C2AE, Consulting Engineers of 70 Main Street, Canton, New York 13617, pursuant to Article 12 of the Town Law of the State of New York was filed with the Town Clerk for the Town of Mexico the 11th day of January, 2021, and entitled Town of Mexico Water Service Area No. 6; and

WHEREAS, the notice of the public hearing was published in the official newspaper of the Town, Oswego County News, and posted on the town bulletin board pursuant to Section 209-q of the Town Law of the State of New York; and

WHEREAS, said public hearing having been held May 9, 2022, at 7:00 p.m., after notice with all interested parties having been heard on the proposed district; and

WHEREAS, the Town Board at a meeting on May 9, 2022 had a full discussion pertaining to the proposed Town of Mexico Water Service Area No. 6, has heard the public comments and has discussed same with consulting engineers, C2AE, as well as the attorney for the Town, Graham B. Seiter, Esq.

WHEREAS, the boundaries of the proposed Water Service Area No. 6 were previously omitted from the publication dated January 20, 2021, and the Resolution/Order for Public Hearing on the establishment of the Town of Mexico Water Service Area No. 6 was re-published in the Oswego County News on April 22, 2022, and are as follows:

See Attached Schedule A; and

WHEREAS, the proposed budget apportioning of the funds for Water Service Area No. 6 were previously omitted from the publication dated January 20, 2021, and are as follows: ADMINISTRATIVE – Legal \$25,000, Bonding \$15,000, Net Interest \$80,000, Bookkeeping and Reporting \$5,000, Single Audits \$15,000; TECHNICAL SERVICES – Preliminary Engineering Services \$23,200, Design Phase \$407,320, Contract Administration \$150,000, Resident Inspection \$120,000, Additional Engineering Services \$70,000, Surveys \$62,500, Borings \$7,500; CONSTRUCTION \$4,004,000; CONTINGENCY \$480,480;

NOW, THEREFORE, it is hereby resolved as follows:

1. That the notice of public hearing was published and posted as required by law and is otherwise sufficient;
2. That all of the property and property owners within the proposed water service area are benefitted thereby;
3. That all of the property and property owners benefitted are included within the limits of the proposed water service area;
4. That the formation of the proposed water service area is in the public interest;
5. The boundaries of Water Service Area No. 6 are as follows: See attached Schedule A;

6. The maximum amount proposed to be expended for such improvements is FIVE MILLION FOUR HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$5,465,000.00); and

7. The estimated annual cost to the typical property/typical home or equivalent dwelling unit ("EDU") would be \$903.00, said amount includes the typical annual water use costs estimated at 170 gallons per day; and said annual cost would be assessed solely against properties in the proposed water service area on a benefit basis according to the established "EDU" criteria; and

8. The improvements proposed, to be a new water distribution system to include meter pits, remote read meters, service lines to the curb box. Fire hydrants will also be installed as part of the project. All property owners who connect to the water main will be required to disconnect their private supply. The estimated cost for a property owner to install a service line from the curb box to the user's residence is \$800-\$1,200 and there is no hookup fee charged by the Town; and

9. The proposed budget apportioning of the funds are as follows: ADMINISTRATIVE – Legal \$25,000, Bonding \$15,000, Net Interest \$80,000, Bookkeeping and Reporting \$5,000, Single Audits \$15,000; TECHNICAL SERVICES – Preliminary Engineering Services \$23,200, Design Phase \$407,320, Contract Administration \$150,000, Resident Inspection \$120,000, Additional Engineering Services \$70,000, Surveys \$62,500, Borings \$7,500; CONSTRUCTION \$4,004,000; CONTINGENCY \$480,480; and

10. That based upon 1-9 above, this Board does hereby re-approve the formation and establishment of the water service area to be known as the Town of Mexico Water Service Area No. 6 pursuant to the terms and boundaries as found in the Map, Plan and Report prepared by C2AE, Consulting Engineers, and filed with the Town Clerk the 11th day of January, 2021.

Resolution 2022-48 Local Law 4 of 2022: Commercial Sawmill Regulations

Councilor Partrick asked Seiter to make the law clarify commercial sawmills in section 4, item 1. Councilor Greenway expressed concern that the regulation on sawdust and waste referenced in section 4, item 6 cannot be enforced. Seiter will strike the 3-month timeline on waste removal. Councilor Robert asked who will check log restraints. Seiter said applicants will need certification from an engineer. Seiter said special use permits are not transferrable regardless of the type of use.

WHEREAS, the Town Board has considered adopting Local Law 4 of 2022 a local law to amend Local Law No. 5 of 2003, amending the Town's Zoning Law in regard to the regulations of commercial sawmills within the Town of Mexico; and

WHEREAS, the Town Board has reviewed the proposed local law, held a public hearing regarding same, after notice, on the 9th day of May, 2022, at which time members of the public had the opportunity to speak and comments were received regarding the local law; and

WHEREAS, after full discussion, the Town Board deems it in the best interest of the Town to adopt the proposed local law; and

NOW, THEREFORE, on motion made by Councilperson Partrick,
seconded by Councilperson Behling, be it resolved as follows:

1. That Local Law No. 4 of the Year 2022, a Local Law to amend Local Law No. 5 of 2003, amending the Town's Zoning Law in regard to the regulations of commercial sawmills within the Town of Mexico, is hereby adopted by the Town Board.

2. That Local Law No. 4 of the Year 2022 shall take effect upon filing with the New York State Secretary of State.

Motion passed as follows:

ERIC BEHLING, Deputy Town Supervisor
JUDY GREENWAY, Councilwoman
LARRY BARBER, Councilman
RUSSELL PARTICK, Councilman
CYNTHIA ROBERT, Councilwoman

AYE
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AYE

NAY
NAY
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NAY

Resolution 2022-49 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 #107 to 139	\$	95,752.39
General B Fund	voucher #36 to 47	\$	17,481.67
Highway Fund	voucher #77 to 100	\$	24,293.65
Water Fund	voucher #10	\$	500.00
Special Districts Fund	voucher #8	\$	432.57

A motion was made by Councilor Barber and seconded by Councilor Partrick to adjourn the meeting at 8:44pm. The motion was adopted by a vote of 5 ayes: Behling, Barber, Greenway, Partrick, Robert, and 0 nays.

Respectfully submitted,

Nicole Wild
Town Clerk