

September 11, 2020

## Constable Chronicles Webinar Series; Part 1: The Construction, Renovation and Restoration of Constable Hall September 22



The Constable Hall Association and the Tug Hill Commission are pleased to be hosting a series of four Zoom webinars entitled "Constable Chronicles." Beginning in September, the webinars will be narrated by Martha Constable Murray, a direct descendant of William Constable Jr., the builder of Constable Hall in Constableville, NY. The webinars will trace the history of Constable Hall, the genealogy of the Constable family and the family's influence in NYS, and will recount family members' recollections of life at the Hall. A special presentation is being planned for December!

Please join us for an evening of "facts, fiction and folklore" as Martha Murray tells the story of the construction, renovation and restoration of Constable Hall. **The first webinar is scheduled for 7:00 p.m. on Tuesday September 22, 2020.** Register at [us02web.zoom.us/join/register/WN\\_SvKPqSKHSraJhrqF7dy79w](https://us02web.zoom.us/join/register/WN_SvKPqSKHSraJhrqF7dy79w).

Martha Constable Murray is the daughter of John Pierrepont Constable Jr., the last Constable family member to own Constable Hall in Constableville, New York. Martha, aka Marty, was born and raised in Watertown, NY, graduated from Watertown High School, and received a BA in Secondary English Education from SUNY Geneseo. For almost 25 years, she taught in the Greece Central School District in Rochester, NY, and earned an MS in Education and an MS Literacy along the way. She honed her English skills and mastered APA and Turabian editing styles, and for the last 15 years, has edited doctoral dissertations, manuscripts, and journals.

Martha has presented to various groups in the Rochester area including historical societies, church groups, the Rochester City retired teachers and the DAR. Most recently she presented at the 200th celebration of the completion of Constable Hall in July 2019. Her book **Constable Hall, A Story**, is available at the Constable Hall gift shop.

Rochester has been Martha's home since 1972, but she spends as much time as possible in Sackets Harbor where her family has had a cottage for 71 years.

## EO 202.60 Extends Remote Public Meeting Ability AND Public Hearing Requirement Through October 4, 2020

See Executive Order 202.60, [www.governor.ny.gov/news/no-20260-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency](https://www.governor.ny.gov/news/no-20260-continuing-temporary-suspension-and-modification-laws-relating-disaster-emergency). Municipalities **ARE NOT** required to offer remote opportunities to join board meetings. Municipalities **ARE** required to offer remote opportunities for public hearings. In-person meeting sizes are allowable up to 50. Given a meeting room which can accommodate six foot physical separation distances, and with use of masks by meeting participants and attendees, a municipality may be able to accommodate everyone who wanted to attend in person without have a remote component for a regular board meeting. If your community would like to use Zoom for the public hearing requirement, or to allow a remote option for board meeting attendance, please contact Tug Hill staff ASAP for assistance, especially in October/November with towns holding budget hearings.

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# September Commission Board Meeting

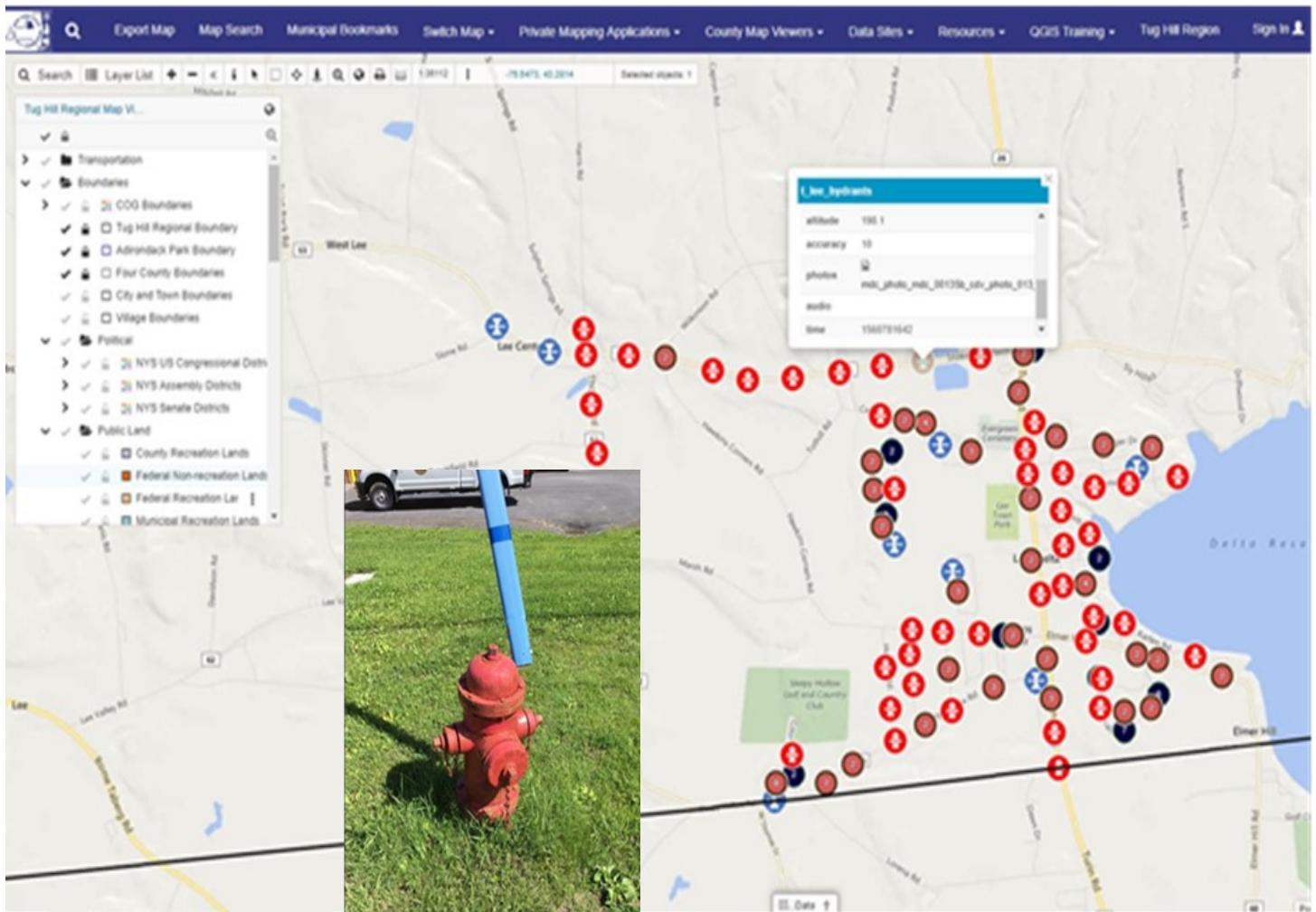
The Tug Hill Commission board will meet next on Monday, September 21, 2020 from 10 a.m. to 11:30 a.m. online at [us02web.zoom.us/j/87090552047](https://us02web.zoom.us/j/87090552047), or via phone at (929) 205-6099 US, meeting ID 870 9055 2047.

## NOCCOG Pilot GPS Project Underway

The Northern Oneida County Council of Governments (NOCCOG) purchased two GPS units in 2019, to support NOCCOG community interested in using the equipment to map municipal assets. The equipment is being shared among the seventeen member communities as part of a shared services plan to begin mapping infrastructure in the region. The villages of Remsen and Holland Patent have used the units to do projects last year and the villages of Sylvan Beach and Camden, as well as the town of Annsville, have expressed interest in using a unit to complete projects this year. NOCCOG has hired Mark Clark, a resident of Camden, to assist communities with any GPS work they would like to have completed. Mark will be working on a part-time basis throughout the fall as long as the weather is good.

The goal is to map water, sewer, lighting, sidewalks, and other infrastructure to compile an online georeferenced database. This will provide crucial benefits when there is turnover of local employees, during emergency situations such as water main breaks, and in current, ongoing improvement projects.

If your community is interested in using the equipment, please contact Jean Waterbury, Tug Hill Commission at (315) 783-7019.



Screenshot of data collected by the town of Lee, displayed on the commission's online map viewer.

# Black River Initiative Progress Report Released – Your Input Requested



The highly anticipated DRAFT Black River Initiative Progress Report: 2010-2020 is now available for review at [tughill.org/projects/black-river-projects/](http://tughill.org/projects/black-river-projects/). Many thanks to the organizations, communities, and state agency staff who contributed to the report, including Tug Hill Commission and the NYS Department of Environmental Conservation's Great Lakes Program. The report details accomplishments over the past 10 years

Accomplishments over the past 10 years include 72 actions and over \$35 million dollars in state and federal funding that have improved land and water resources, recreation, and quality of life, while promoting coordination and providing jobs in the watershed. These projects also implement recommendations of the Black River Watershed Management Plan and the Black River 9 Element Plan for reducing phosphorus, nitrogen, and sediment loading in the watershed.

The final report will also include additional feedback from communities, including local interest in getting more involved in the Black River Initiative, that will be developed based on the [Black River Initiative survey](#). **Please take a few moments to share your feedback and ideas, to help shape the future of the watershed.**

Our September 30<sup>th</sup> Virtual Black River Watershed Conference will kick off with several opportunities to learn about highlights of the report and engage in discussions about our progress and next steps. Learn more and register at [tughill.org/projects/black-river-projects/black-river-watershed-conference/](http://tughill.org/projects/black-river-projects/black-river-watershed-conference/).

## DRAFT Black River Initiative Progress Report: 2010-2020

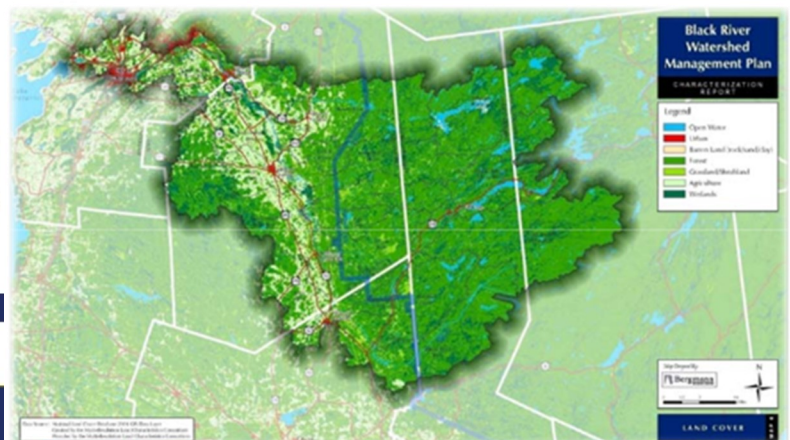
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NEW YORK STATE TUG HILL COMMISSION

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This paper was prepared in cooperation with the New York State Department of Environmental Conservation Great Lakes Program.



The Black River Initiative is a multi-pronged approach to promote partnerships and protect and improve water quality, recreational opportunities, and communities along the Black River. The Black River Watershed Management Plan (2010), Black River 9-element Plan (2016), Black River Blueway Trail Plan (2007), and Black River Trail Scenic Byway Corridor Management Plan (2012) provide the foundation to advance existing efforts and new projects that enhance and improve all aspects of the Black River. NYS-DEC's Great Lakes Program, NYSDEC Region 6, and Tug Hill Commission staff have supported this initiative, in part through funding from the Environmental Protection Fund, under Article 14 of the Environmental Conservation Law (Ocean and Great Lakes Ecosystem Conservation Act).

Above: Hikers on Bald Mountain enjoying the view of Fourth Lake in Herkimer County.

Right: Volunteers participate in the Black River Trash Bash in Lewis County.



# Upcoming Planning and Zoning Board Training Sessions Reminder

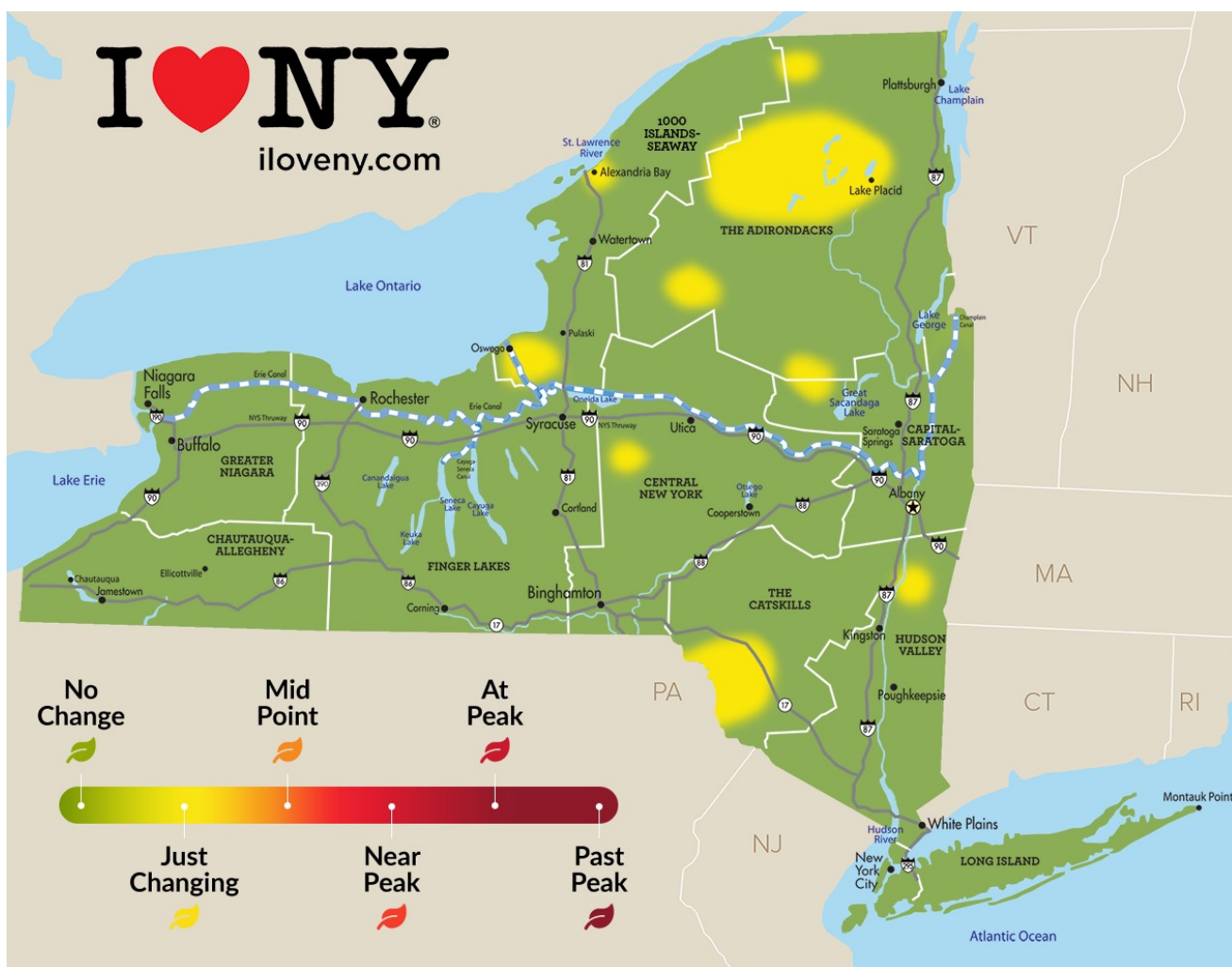
Commission planning director Matt Johnson will deliver a training session entitled **“Evaluating and Amending Your Zoning Law”** on Tuesday, September 29 from 7 p.m. to 9 p.m. at the Lowville Town Hall, 5535 Botswick Street, Lowville 13367. This presentation will explore reasons you may want or need to update your zoning law and cover the statutory process for doing so. Is your law lacking standards for newer land uses? Is it out of sync with your comprehensive plan? Are parts of it 'unenforceable'? We will discuss these and other issues. We will also detail the proper procedure for adoption in regard to public hearings, SEQR compliance, and county planning review. Register at [us02web.zoom.us/webinar/register/WN\\_iZnAZ4fQSsaWyzLnP2bE4A](https://us02web.zoom.us/join/joinMeeting?meetingid=98051234567) or at [www.tughill.org](http://www.tughill.org).

Attorneys Jim Burrows and Dave Geurtsen from Conboy Law Firm will be presenting **“ZBA Basics”** on Tuesday, October 1 from 7 p.m. to 9 p.m. at the West Carthage Community Room, 61 High Street, West Carthage, NY 13619. The course will increase understanding of the powers and duties of the zoning board of appeals, basic zoning concepts and functions, and statutory requirements that zoning boards of appeals must consider before granting use and area variances. Register at [us02web.zoom.us/webinar/register/WN\\_E-w57N3JTCe5olrMcQDmBA](https://us02web.zoom.us/join/joinMeeting?meetingid=98051234567) or at [www.tughill.org](http://www.tughill.org).

**In-person attendance for both sessions will be limited to the first 23 registrants, and all attendees will be required to socially distance, wear a mask, and answer questions about health and travel.** Hand sanitizer will be available, and no walk-ins will be allowed. The training session will also be viewable live via Zoom. When registering, please pay special attention to the question regarding how you plan to attend.

## Fall Foliage Report – Enjoy it on Tug Hill’s Trails

From now until the leaves fall, the weekly NYS fall foliage report can be found at [www.iloveny.com/things-to-do/fall/foliage-report/](http://www.iloveny.com/things-to-do/fall/foliage-report/). Use this tool and the online Tug Hill Recreation Guide ([www.visittughill.com](http://www.visittughill.com)) to plan a leaf peeping adventure on Tug Hill!



# Institute of Museum and Library Services (IMLS) Inspire! Grants for Small Museums (2021)

[www.imls.gov/grants/available/inspire-grants-small-museums](http://www.imls.gov/grants/available/inspire-grants-small-museums)

Inspire! Grants for Small Museums is a special initiative of the Museums for America program, designed to help small museums implement projects that address priorities identified in their strategic plans. Inspire! has three project categories: Lifelong Learning; Community Anchors; and Collections Stewardship and Access. Awards ranging from \$5,000–\$50,000 will be made for a two-year project terms, with no required local share or match.

**Deadline: November 16, 2020**

## Preservation League of NYS Technical Assistant Grant Deadline October 19

[www.preservenys.org/technical-assistance-grants](http://www.preservenys.org/technical-assistance-grants)

Technical Assistance Grants (TAG) are the signature grant program of the NYS Council on the Arts (NYSCA) and Preservation League of NYS. TAG grants (up to \$4,000) have strategically invested in the rehabilitation of historic places, leveraged significant additional resources and protected properties at the local, state and national level through landmark designations. The grants are open to nonprofit groups and municipalities that own or have a long-term lease on buildings that house historic sites, museums, arts facilities and other important institutions that serve an arts or cultural purpose and are open to the public.

**Deadline: October 19, 2020**

## State Archives Resource for Records Management Officers

**Are you a new RMO and not sure where to start? Are you a seasoned pro that wants to re-energize your records program?**

The State Archives has developed a [new web resource for RMOs](#) to help you better understand your responsibilities, how to get started, and how to sustain your program.

Records management is vital to the efficient operation of government. Good records management practices help ensure that records are kept for as long as necessary to support business needs and reduces the time and effort required for staff to find the documents they need to perform their duties.

Records Management Officers (RMOs) oversee and coordinate their agency's records management program. They act as the program's primary advocate and provide assistance and advice to staff who create, receive, maintain, and use an entity's records. Records Management Officers, with the assistance of the New York State Archives, identify and assess their organization's records, ensure staff can easily access documents when needed, and legally dispose of them when legitimate business requirements have been met.

Monthly webinars will be held live on select Tuesdays September through December from 10:00 – 11:00 a.m.

September 15 - **What does the Genealogist Want from You and How to Provide it**

October 20 - **Managing Oversized Maps and Drawings**

November 17 - **Creating File Plans**

December 15 - **What about that Room? Maintaining an Inactive Records Storage Area**

Recent webinars pertaining to the ***Retention and Disposition Schedule for New York Local Government Records (LGS-1)*** can be found on the [NYS Archives YouTube](#) page, click on the [Records Management playlist](#).

For all things having to do with this new schedule, [please see our LGS-1 website](#).

If you have questions or need more information, contact Michael Martin, New York State Archives, Regional Advisory Officer for Central New York Region, 518-330-7987, [michael.martin@nysed.gov](mailto:michael.martin@nysed.gov), [www.archives.nysed.gov](http://www.archives.nysed.gov).

# Difference Between Administration and Enforcement of Zoning PART 2

This article attempts to explain the difference between zoning administration and zoning enforcement. It was written by Attorney Scott Chatfield, a well-known land use attorney from the central New York area who spoke often on legal issues related to planning and zoning and who retired earlier this year and is now living in Florida.

**Enforcement of zoning laws and the administration of zoning laws are entirely separate activities. PART 1 of this article discussed zoning administration and was featured in last week's Tug Hill Times. PART 2 of this article will discuss zoning enforcement.**

There are two types of enforcement – criminal and civil.

Enforcement, as the name suggests, requires that there be an existing violation of the zoning law and contemplates some form of punishment for the commission of the violation. Of course, punishment can be waived if compliance is obtained, but that is within the sound judgement of the prosecutor and/or court.

The violation must be in existence because you cannot punish an individual for merely contemplating actions that would violate the law if taken.

Criminal enforcement is the exclusive prerogative of the zoning enforcement officer and takes the initial form of a notice of violation, appearance ticket, cease and desist order, or stop work order.

The zoning enforcement officer is the police officer, if you will, for zoning violations. And just like a police officer, the zoning enforcement officer's actions are subject to the rules governing criminal procedure. Once initiated, the prosecution of the violation is left to the prosecutorial authority for that jurisdiction and punishment for conviction is up to the court.

Civil enforcement, usually in the form of an action for an injunction, can be initiated by anyone who has standing to do so. In the case of a municipality, that usually falls to the municipal attorney after special authorization from the legislative body. Some jurisdictions provide a blanket authorization to the zoning enforcement officer to commence civil proceedings by specifying civil fine penalties for zoning violations in the zoning law.

Other agencies of a municipality could, theoretically, be granted civil enforcement authority, but only by a specific delegation of authority from the legislative body. Your author has never seen this occur.

## Contact Us

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To request our newsletter electronically please email [gwen@tughill.org](mailto:gwen@tughill.org) or call

1-888-785-2380.

For upcoming trainings, grant deadlines, and meetings, view our [calendar](#).

## Greenhouse Gas Emissions October Webinars

The NYS Department of Environmental Conservation (NYSDEC) is proposing the addition of "Statewide Greenhouse Gas Emission Limits" under NY State Environmental Conservation Law. The proposed rule adopts limits on the emission of greenhouse gases in 2030 and 2050, as a percentage of 1990 emissions, per the requirements of the [Climate Leadership and Community Protection Act](#). It applies to all emission sources in New York State, but the rule does not itself impose compliance obligations. For more information and to participate in a webinar, visit: [www.dec.ny.gov/enb/20200902\\_not0.html](http://www.dec.ny.gov/enb/20200902_not0.html)

**Written comments on the proposed rule may be submitted until 5:00 p.m. on October 27, 2020.**

E-mail: [climate.regs@dec.ny.gov](mailto:climate.regs@dec.ny.gov), and Include "Part 496" in the subject line of the email.