

**Town of Lyme**  
**March 14, 2012**  
**Regular Monthly Meeting**  
**6:30 P.M.**

**Supervisor Aubertine** opened tonight's meeting with a Prayer and the Pledge of Allegiance.

**Present at tonight's meeting:** Supervisor Aubertine, Councilwoman Harris, Councilmen Bourquin, Villa and Henderson, County Legislator Bob Thomas, Assessor Chair Marsha Barton, ZEO Member Harry Staudenmayer, Three Mile Bay Cemetery Superintendent Julia Gosier and approximately 15 others.

**Privilege of the Floor**

**Todd LaRose** – Conveyed to the Town Board his disappointment with the inconsistencies of the Water Use Law and the \$300.00 application fee associated with having his new home serviced with municipal water.

Mr. LaRose had purchased a second hand meter from a local resident, assuming that it could be utilized and compatible with the Town's water service. The meter had been in use, worked properly and was tested at the Town Barn to make sure it metered the water accurately. The testing determined that the meter was in appropriate working order. The Water Use Law does not explicitly states that the meter must be purchased from the Town.

**Supervisor Aubertine** indicated that Mr. LaRose has brought up some valid points and he will have the Municipal Water Board take a look at these concerns being brought before the Board and take them into consideration and make any changes they deem necessary.

**Municipal Water Board Chairperson, Marsha Barton** stated that Mr. LaRose purchased a meter that is no longer being installed by the Town. Parts for the older meters are being discontinued. The Municipal Water Board has gone on the recommendation of Bill Scarpicchi as he was following the regulations of the Water Use Law.

**RESOLUTION 2012 – 35: Motion by Supervisor Aubertine and seconded by Councilman Bourquin to allow Todd LaRose to use his second hand water meter if the meter is tested and determined to flow correctly and meets with the written requirements of the Town’s Water Use Law. Five ayes. Motion carried.**

**Bill Borden – Village Trustee – Regarding Dissolution of the Village of Chaumont**

The Village is trying to prepare for the future and as they move forward with the dissolution process, their biggest concern is regarding the fate of the Village employees. The Town Board’s position is that they cannot make any guarantees at this time. There is still a substantial amount of information needed before the Town Board will commit to a decision either way. Supervisor Aubertine stated that “as much as the Town would like to keep the Village employees they are not in a position to make any guarantees at this time”. The Town would like to keep everyone working but is uncertain at what capacity.

The Village Dissolution Committee is collecting data in an effort to bring forth the information needed to determine the “best case” scenario for both the Village and Town residents.

**Councilman Villa** stated that if the referendum determines that the Village will dissolve the Town Board would proceed as necessary at that point.

**Supervisor’s Report - Accountant Tom Bowie**

Tom presented the figures this evening for the 2011 Year End Report, 2011 Annual Report and the February 2012 Supervisor’s Report.

**RESOLUTION 2012 – 36: Motion by Councilman Villa and seconded by Councilwoman Harris accepting the February 2012 Supervisor’s Report as presented by Bookkeeper Tom Bowie. Five ayes. Motion carried.**

**RESOLUTION 2012 – 37: Motion by Councilman Villa and seconded by Councilwoman Harris accepting the 2011 Year End and 2011 Annual Report as presented by Accountant Tom Bowie. Five ayes. Motion carried.**

## Highway Superintendent's Report

The Highway Department has been working on erosion problems and drainage on the South Shore Road, Point Peninsula.

Superintendent Weston would like to make repairs to the road going into the Three Mile Bay Water Tower. He wondered who is liable for the expenses associated with maintenance for that right-of-way; the property owner, DANC or the Town. The Town will contact Bryon Perry to determine who the responsible party is.

Pat will provide some figures on the construction of a new salt barn and it will be discussed at next months Town Board Meeting.

**Councilwoman Harris** is interested in having trees planted in Three Mile Bay, at the State Boat Launch. The Class of 2008 raised the money for the trees and Boo would like to have a ceremony in the spring. Superintendent Weston indicated that he would have the holes dug upon the approval of the State. Pat will contact "Dig Safely" and Boo will contact the State to check on placement of the trees.

## Clerks Report – February 2012

Total State, County, and Local Revenues:                      \$2,022.66

### Audit of Bills

***RESOLUTION 2012 – 38: Motion by Councilman Villa and seconded by Councilman Henderson approving Abstract #5 in the amount of \$1,705.77. Five ayes. Motion carried.***

***RESOLUTION 2012 – 39: Motion by Councilman Villa and seconded by Councilman Henderson approving Abstract #6 in the amount of \$118,181.99. Five ayes. Motion carried.***

### Approval of Minutes

***RESOLUTION 2012 – 40: Motion by Councilwoman Harris and seconded by Councilman Villa approving the Minutes of the February***

*2012 Regular Monthly Meeting as submitted by Clerk Wallace. Five ayes. Motion carried.*

### **Assessor's Report – Marsha Barton**

Most of the work has been completed for preparation of the tentative roll.

The Assessor's had to impose a penalty on one property owner who has received the STAR exemption in the Town of Lyme and the Town of Clayton. The State Law states that when an individual is in violation of this, the exemption must be removed for a five-year period. A letter was sent to the property owner informing them of their removal from the program.

### **Municipal Water Board Report**

**Village Surplus Meters:** The Village of Chaumont has a surplus of new Iperl Meters and they would be willing to sell the Town two cases at cost. This would give the Town 16 meters to keep on hand at a savings of \$242.00. The 16 meters would normally cost \$2,144.00. The Water Board is requesting a Resolution from the Town Board approving this purchase.

***RESOLUTION 2012 – 41: Motion by Councilman Villa and seconded by Councilman Henderson approving the request of the Village to utilize the Town Water Reader. The Village has a surplus of new Imperl Meters and would be willing to sell two cases (16 meters) to the Town at a cost of \$2,144.00, the Town offers the following proposal:***

***The Town of Lyme will accept the two cases of meters; in exchange for our Town employee, using the Town's meter reader, to read the Village water meters for a two-year period, not including labor.***

***This arrangement falls completely in line with the wording of our Shared Services Agreement regarding exchanges of equipment.***

***Five ayes. Motion carried.***

**Opening and Closing Water Facility:** The Municipal Water Board previously requested approval for an attendant to lock and unlock the Water Facility. Councilman Bourquin suggested a time lock to secure the building. The Town Board has received a proposal from CREG Systems for the

installation and initial programming of a timed entry door locking system. The Water Board would like to recommend purchasing this system, along with an additional 2-year warranty. Total cost would be \$1,300.00.

*A Motion was made to TABLE the opening and closing of the Water Facility.*

**Village Use of Water Reader:** The Municipal Water Board feels that the Village could use the Town's water meter as part of the shared services agreement. They have contacted DANC and EJ Prescott in regard to a fair rate that could be charged to the Village for the use of the reader and neither had any suggestions. There was a suggestion to charge an hourly wage for the Water Operator, whether he does the readings for the Village or accompanies the Village employee.

**Policy and Procedures:** Marsha presented the Town Board with six policies that have been written by the Water Board. While preparing #5 and #6 Marsha realized that there had never been a Resolution made for the first 4 policies. Prior minutes had been reviewed and they cannot find where a Resolution was ever passed. The Water Board would ask that the Town Board pass a Resolution for all six of the policies at this time.

***RESOLUTION 2012 – 42: Motion by Councilwoman Harris and seconded by Councilman Villa approving the following six Policies and Procedures recommended by the Municipal Water Board:***

1. *Application for New Water Service*
2. *Application for New Water Service Extension*
3. *Water Districts Dispensing Water for Swimming Pools*
4. *Water Districts Dispensing Water for Controlled Burns*
5. *Water Facility Service Call and Log Sheet*
6. *Waiving of Fees*

*Five ayes. Motion carried.*

**DANC Meeting:** Supervisor Aubertine and Marsha attended the DANC User's Meeting on March 1<sup>st</sup>. Their 2013 Budget for the Fiscal Year of 2013 was presented. Their 2013 Budget decreased \$22,300.00. There is a decline in KGAL usage. The Town of Lyme budgeted flow for 2012 was projected at 13,700,000. They are projecting 12,000,000 for 2013. The Town of

Lyme's projected costs will increase \$1,913.00 for the year. The present rates will cover the increase.

**Water Reserve Fund Plan for Replacement and Maintenance:** The Municipal Water Board will be developing a plan for the Water Reserve Fund that will specify costs of items that will need replacing in the future. This will be made as part of the Water Reserve Fund file. This information will be helpful for future planning and will also document the necessity of a reserve fund.

### **Three Mile Bay Cemetery Report – Julia Gosier**

The unusual winter has left the Cemetery very soggy and littered with branches. Lack of a deep frost has caused more old stones to lean precariously. A better assessment of the situation will be made when the ground is drier.

### **Youth Committee Report – Charlie Mount**

The basketball season has been good with as many as 28 boys and girls attending the program. Practices and games are held on Saturday and Sundays. Lyme has played games against Cape Vincent, Alex Bay, Sackets, Clayton, Lafargeville and IHC. Charlie is waiting for approval from the school board in hopes to continue the program to help with fundamentals. Coaches for the program have been Scott and Leo Wilson, Charlie O'Brien and Charlie Mount.

The Summer Softball and Baseball Program will be starting up soon. Rob Goutremout and Jim Arthur will be coaching the Pee Wee teams; other coaches are yet to be determined. Charlie would like to purchase the seed for both of the fields.

### **Planning Board Report – Josephine Johnston-Millington**

The Planning Board would like to recommend that Scott Discount be appointed to fill the vacancy that occurred when Ed DeMattia resigned as Planning Board Chairman.

The Planning Board would like to ask if April 30<sup>th</sup> would be acceptable as the date they would be providing the Final Wind Law Draft to the Town Board.

**Councilman Bourquin** stated that the Planning Board has been working very hard and he does not see how they would have it ready by the time the Moratorium expired on April 12, 2012.

***RESOLUTION 2012 – 43: Motion by Councilwoman Harris and seconded by Councilman Villa scheduling a Public hearing extending the Wind Moratorium to be held on April 11, 2012 at 6:15 p.m. at the Municipal Offices located at 12175 NYS Route 12E. The extension will be for a six-month Moratorium expiring on October 12, 2012. Five ayes. Motion carried.***

#### **CEO / ZEO Report – February 2012 – Jim Millington**

Building Permits Issued	1
Certificate of Occupancy	1
ZBA Referrals	2
Violations / Court Referrals	1
Permits Issued	1

#### **New Business**

**Supervisor Aubertine** has created a Zoomshare Account to meet the requirements of the new State Law that requires the Town to make the agenda and materials of upcoming meetings available to residents prior to the meeting dates.

**Councilman Villa** stated that he had looked at some of the other software that has been specifically created for this purpose and he feels that the Town would benefit more from the software but the Zoomshare Account will meet the requirements for now.

#### **Attorney Bill Breakdown**

Supervisor Aubertine asked the Attorney's Office if they would be kind enough to take the time to further separate and breakout the different topics and time billed to each item associated with them for billing purposes, in an

effort to more accurately determine to what extent the Town is being charged for each item that occurs on the monthly statements. The Attorney's Office has been good enough to honor that request.

***RESOLUTION 2012 – 44: Motion by Councilman Bourquin and seconded by Councilwoman Harris approving the placement of a notice to be placed in the Watertown Daily Times for the solicitation of bids for the mowing of the Town Cemeteries and Ball Fields. Bids will be received until 4 p.m. on April 11, 2012 and opened at the April 11<sup>th</sup> Meeting at 6:30 p.m. Five ayes. Motion carried.***

### **Old Business**

#### **Transfer Site**

***RESOLUTION 2012 – 45: Motion by Councilman Villa and seconded by Councilwoman Harris approving Sun King as the electronic waste collection company for any electronics collected at the Transfer Site, at a rate of two cents per pound, it will then be trucked to the County by the Town of Lyme. Five ayes. Motion carried.***

#### **Correspondence**

***RESOLUTION 2012 – 46: Motion by Councilman Villa and seconded by Councilwoman Harris regretfully accepting the letter of resignation from Planning Board Member Tim Mason. Five ayes. Motion carried.***

***RESOLUTION 2012 – 47: Motion by Councilman Villa and seconded by Councilman Bourquin determining the charges at the Transfer Site for the disposal of televisions as follows:***

***If the television can be carried and moved by one individual the charge for disposal will be \$10.00.***

***If the television requires more than one person to assist with moving it the charge will be \$20.00.***

***Televisions may also be disposed of at the Jefferson County Transfer Site at no charge.***

*Five ayes. Motion carried.*

**RESOLUTION 2012-48:** *Motion by Councilman Villa and seconded by Councilwoman Harris approving the annual renewal of the CD at Citizens Bank, with a maturity date of April 12, 2013. Five ayes. Motion carried.*

### **Privilege of the Floor**

**Maria Johnston-Millington** – Feels that the process of collecting the Transfer Site fees through taxes is not fair to those who own multiple properties. Maria did indicate that it is good to see progress has netted those individuals who haven't paid in the past but she would like the assurance of the Town Board that they will keep working toward a more fair approach to collecting fees.

**Charlie Mount** – Would ask that the Town Board review the County proposal for the EMS Department. He feels that this will be another section of County Government that will end up costing all residents a lot of money when it's all said and done. Charlie stated that the Town of Lyme is very fortunate that we have good service here; other Towns have to be under mutual aid.

Charlie also stated that he is involved with several activities throughout the community and there are many events requiring local law enforcement. The Town residents pay for law enforcement at the State and County level, but he would like the Town to have someone for events.

**Julia Gosier** – Would like to back up what Charlie said about the County wide ambulance service, it has grown into something complicated and all our taxes will be adversely affected by this. Local ambulance services will lose control of how they handle their service. Julie is proud of the service that is provided locally. Julie indicated that sometimes people would put off calling the ambulance due to the cost; a volunteer fire department cannot bill for this service. When there is a higher level of government they can change laws. Julie is requesting that the Town Board stay involved with this situation as the County tries to determine which direction they will be taking.

*At 9:25 p.m. a Motion was made by Supervisor Aubertine and seconded by Councilman Villa moving the Town Board into Executive Session to discuss the appointments of a Town Historian and a Planning Board Member. Five ayes. Motion carried.*

*At 9:53 p.m. a Motion was made by Supervisor Aubertine and seconded by Councilman Villa moving the Town Board back into open session. Five ayes. Motion carried.*

**RESOLUTION 2012 – 49:** *Motion by Councilman Bourquin and Center as the Historian for the Town of Lyme. Five ayes. Motion carried.*

**RESOLUTION 2012 – 50:** *Motion by Councilwoman Harris and seconded by Councilman Henderson appointing Scott Discount to the Town of Lyme Planning Board as a full time member. An advertisement will be placed in the Watertown Daily Times advertising for one full time and one part time member to the Planning Board.*

*Roll Call Vote as follows:*

<i>Councilman Henderson</i>	<i>Yes</i>
<i>Councilwoman Harris</i>	<i>Yes</i>
<i>Councilman Villa</i>	<i>Yes</i>
<i>Councilman Bourquin</i>	<i>Yes</i>
<i>Supervisor Aubertine</i>	<i>Yes</i>

*Five ayes. Motion carried.*

*At 9:55 p.m. a Motion was made by Councilwoman Harris and seconded by Councilman Villa adjourning tonight's meeting. Five ayes. Motion carried.*

Respectively Submitted,

Kim Wallace, Town Clerk

