

Town of Lyme

Regular Town Board Meeting

November 14, 2007

6:00 P.M.

Public Hearing For Wind Farm

Moratorium Extension

6:15 P.M.

Supervisor Golden opened the Meeting at 6:00 p.m. by explaining that we could not hold the Preliminary Budget Hearing due to inadequacies in the public notice advertised in the newspaper.

RESOLUTION 2007 - 135: Motion by Councilman Schreib and seconded by Councilman Johnson to reschedule a Preliminary 2008 Budget Hearing on November 29, 2007 at 5:30 p.m. at the Municipal Building. Five ayes. Motion carried.

Supervisor Golden called The Public Hearing for the Wind Farm Moratorium Extension to order at 6:15 p.m. The proposed extension would be through January 2008.

Julia Gosier asked the Board if the information for the formation of the wind Farm is ready. Councilman Madill responded by stating that the Wind Farm Local Law is ready. The Planning Board is massaging the overlay districts between areas 3 and 6.

Don Metzger - resident of Lyme - He hopes that the Town Board will give more serious consideration to the potential of the adverse effects to the lines of communication. According to professionals, well versed in communication, they are saying that there is very much of a potential of degradation of all types of radio and all transmitter signals. The Town should be very strict with the deep pockets of BP and be sure they don't just study the problem but they solve and pay for the problem. Whatever it takes, whether it is extra repeaters or transmitters. He applauds the efforts of the Planning and Town Boards.

MOTION BY COUNCILMAN SCHREIB AND SECONDED BY COUNCILMAN COUNTRYMAN TO CLOSE THE PUBLIC HEARING FOR THE WIND FARM MORATORIUM EXTENSION AT 6:25 P.M. FIVE AYES. MOTION CARRIED.

Evidentiary Hearing

Unsafe Buildings

6:25 P.M.

The Purpose for the Evidentiary Hearing for Unsafe Buildings regarding the Wilson property on County Route 57 in Three Mile Bay is for the Board to take evidence to decide whether or not the building is determined to be unsafe. The ZEO had sent letters to the property owners on April 14 and 16 of 2007 and letters were also sent on October 1 and 14 2007. The property has not yet been cleaned up. There has been a development and the property has been sold and the purchaser (Bruce and Sherry Kingsley) has agreed to take on the responsibility of cleaning the property. Due to the time of year and unpredictability of the weather, Mr. Kingsley asked that the Town Board grant him a completion of clean up date of May 1, 2008.

RESOLUTION 2007-136: motion by Councilman Schreib and seconded by Councilman Madill to extend the clean up date for the Wilson property, that is being purchased by Bruce and Sherry Kingsley to May 1, 2008. Five ayes. Motion carried.

Town of Lyme

Regular Monthly Meeting

6:30 P.M.

Was called to order by Supervisor Golden at 6:30 p.m. opening with a Prayer and the Pledge of Allegiance. In attendance: Councilmen Schreib, Johnson, Madill and Countryman; ZEO Suzann Cornell, Bookkeeper Gotham, Superintendent Parker, Assessor's Cornell and Barton and approximately 20 others.

Supervisor Golden congratulated Scott Aubertine, Warren A. Johnson, Mike Countryman, Judges Curtis and Wallace, Sandy Cornell and

Marsha Barton on their election results. He told Scott Aubertine that he was certain he will make a good Supervisor and extended an offer to help at anytime if Scott felt he needed anything. Jim also stated that he feels the present Town Board is the best the Town has ever had. They work very diligently on every issue, including the Budget. He went on to say that it has been a pleasure working with them all.

Bob Thomas thanked the voters for putting him in office for another two years, he very much appreciates it. The County Tax rate is down due to the fast moving economy of Jefferson County. The population of Jefferson County has been certified at 117,162 people. County Route 57 has been black topped and it has turned out nicely. He, his grandson and granddaughter enjoyed the bird seminar at the Library.

Councilman Schreib asked if Mr. Thomas could have someone from Real Property come down to explain some questions the Board has regarding County taxes.

Highway Superintendent

Superintendent Parker asked the Town Board for budget transfers out of his own accounts.

RESOLUTION 2007 - 137: Motion by Councilman Schreib and seconded by Councilman Countryman to transfer the funds for the Highway Department as requested by Superintendent Parker. Five ayes. Motion carried.

Superintendent Parker addressed the concerns we have with the exhaust fumes that seep through the wall into the offices. He will install a firewall and insulation that will meet the NYS energy code. Currently there is nothing above the meeting room, as far as insulation goes, most of the fumes come through that area. The Highway Department will put up two layers of 5/8ths sheetrock to solve the problem.

Councilman Johnson thanked Tom for submitting his audited bills and submitting them to the Town. When he sees Tom Parker on every bill that tells him something. He also appreciates the identification of the vehicles and what is being spent on them.

Councilman Johnson also reported that he had gone out with Marsha Barton to take an inventory of all the Fire Road signs that need to be

placed. The Town needs 36 Fire Road signs and 14 Road signs. The proper placement of the signs will make it safer and more efficient for emergency service. Superintendent Parker committed to installing these road signs when they come in.

We are getting a lot of positive comments on our Town of Lyme signs. Councilman Johnson asked Tom if he could take down the one big bush that obstructs the view on the sign coming from Cape Vincent. Superintendent Parker did agree to address that task tomorrow.

Councilman Johnson also expressed concerns with 911 numbers and feels it should be made mandatory that all properties have them visibly and properly placed.

RESOLUTION 2007 - 138: Motion by Councilman Countryman and seconded by Councilman Madill to accept the October minutes as written. Five ayes. Motion carried.

RESOLUTION 2007 - 139: Motion by Councilman Madill and seconded by Councilman Johnson to accept Abstract # 22 in the amount of \$122,776.54. Five ayes. Motion carried.

RESOLUTION 2007 - 140: Motion by Councilman Madill and seconded by Councilman Johnson to accept Abstract # 21 in the amount of \$3175.02. Five ayes. Motion carried.

Supervisor's Report

Bookkeeper Gotham - this month we have received \$233,000.00 for sales tax from the County. Everything seems to be in line for the ten-month period, except for the following budget transfers:

1. Transfer from 1990.4 Contingent Account to Municipal Court Contractual Account 1110.4 \$750.00.
2. Transfer from 1990.4 Contingent Account to 1420.4 Lawyer Contractual \$1,900.00.
3. Transfer from Capital Improvements to Buildings Personal \$1,900.00
4. Transfer from 1990.4 Contingent Account to 1920.4 Municipal Association Dues \$899.00.

5. Transfer from 1990.4 Contingent Account to 7140.42 Playground / Rec Centers \$800.00.
6. Transfer from Capital Improvements to 8160.2 Refuse and Garbage \$10,700.00.
7. Transfer from 1990.4 Contingent Account to Refuse and Garbage 8160.4 \$3,000.00.
8. Transfer from 4010.4 Board of Health to Zoning Personal Services \$4,000.00.
9. Transfer from 5112.2 Road Construction to 5110.1 Highway Maintenance Personal \$6,000.00.
10. Transfer from 5112.2 Road Construction to 9030.8 DB Social Security \$300.00.
11. Transfer from 5112.2 Road Construction to Shoe Allowance \$200.00.

RESOLUTION 2007 - 141: Motion by Councilman Madill and seconded by Councilman Countryman to accept the budget transfers suggested by Bookkeeper Gotham. Five ayes. Motion carried.

Payments to the caretaker for the Three Mile Bay Cemetery come out of the General Fund throughout the year. Money needs to be transferred from the Three Mile Bay Cemetery account to the General Fund in order to straighten this out. Roz waits until the end of the season to transfer funds so it only has to be done once. This includes personnel and social security.

RESOLUTION 2007 - 142: Motion by Councilman Schreib and seconded by Councilman Johnson to transfer \$2325.24 from the Three Mile Cemetery Fund back to the General Account. Five ayes. Motion carried.

RESOLUTION 2007 - 143: Motion by Councilman Countryman and seconded by Councilman Madill to accept the Supervisor's Report for October 2007. Five ayes. Motion carried.

RESOLUTION 2007 - 144: Motion by Councilman Countryman and seconded by Councilman Schreib to renew the existing CD with Citizen's Bank for one year at 4.5%. Five ayes. Motion carried.

Bid Opening for Surplus Equipment

Merv Mellen - \$351.50 for the 1991 Ford Pick-up truck.

Perkins Scrap Metal - \$650.00 for the Dodge Pick-up.

(Edward Perkins JR) \$500.00 for the Ford Pick-up.

\$500.00 for the Mac Dump Truck

Victoria Bergs - \$200.00 for the Ford Pick-up with snow plow

\$200.00 for the Dodge Pick-up.

RESOLUTION 2007 - 145: Motion by Councilman Madill and seconded by Councilman Johnson to accept the bids submitted by Edward Perkins Jr of Perkins Scrap Metal for all three bids on the Town Highway surplus vehicles. Five ayes. Motion carried.

ZEO - written report - see attached document

Assessor's Written Report

Water Board - Marsha Barton

Calibration report has shown that we are losing approximately \$2,830.00 annually. The parts to correct the problem will be \$2,430.00. The Water Board would like to ask for a resolution to purchase the parts needed to rectify the problem.

RESOLUTION 2007 - 146: Motion by Councilman Schreib and seconded by Councilman Madill to approve the purchase of the new parts for Water District # 2. Five ayes. Motion carried.

The Town has received the pre - eligibility determination notice from Rural Development on Water District # 5 on the Old Town Springs Road. The offer is as follows: The whole project will be \$860,000.00. We have received preapproval for a grant of \$500,000.00. A loan will be \$357,000.00 at 4.5% for 38 years. This will result in an annual cost of

\$848.00. The residents of that new district will be notified by certified letter that there will be a Public Hearing set for December's Board Meeting.

RESOLUTION 2007 - 147: Motion by Councilman Schreib and seconded by Councilman Countryman to set a Public Hearing on December 12, 2007 at 6:00 p.m. for the formation of Water District # 5. Five ayes. Motion carried.

RESOLUTION 2007 - 148: Motion by Councilman Schreib and seconded by Councilman Johnson to appoint the Supervisor as the person to execute the documents as they come in from Rural Development for the formation of Water District # 5. Five ayes. Motion carried.

RESOLUTION 2007 - 149: Motion by Councilman Countryman and seconded by Councilman Johnson for a spare coin receptor for the Water Facility. Five ayes. Motion carried.

Fern Papin still has not had her water line fixed. Billy does not want to fix it the way that Norm has suggested. The Board had approved quite some time ago to have a local plumber fix it if Billy couldn't do it. This matter needs to be addressed.

RESOLUTION 2007 - 150: Motion by Councilman Schreib and seconded by Councilman Johnson to purchase the necessary signs

Cemetery and Historian Reports - written - see attached documents.

Superintendent Parker has done a wonderful job with helping with the Cemetery and Julie appreciates it. She hopes that this relationship can continue through next year. Tom will have to submit a bill to the Cemetery for the number of hours worked for the recent burial that the Highway Department helped with.

RESOLUTION 2007 - 151: Motion by Councilman Schreib and seconded by Councilman Johnson to purchase necessary signs and pipe, per DOT recommendation and standards as of height and lettering. Five ayes. Motion carried.

Old Business

Joint Services - Grant has to be in by December 14, 2007 so we have to have a meeting with the Village prior to that date.

RESOLUTION 2007 - 152: Motion by Councilman Schreib and seconded by Councilman Johnson to schedule a Joint Meeting between the Village of Chaumont and the Town of Lyme for Thursday November 29, 2007 at 6:00 p.m. at the Municipal Building. Five ayes. Motion carried.

Audit - The Town has had a problem securing any firms to do an audit. Currently we have an Oversight Committee, Mike Countryman and Norm Schreib. Marsha spoke to the Comptroller and they had said that we don't need a CPA to do an audit; it can be done internally by the Town Board. Councilman Schreib feels that him and Mike could put together a procedure and then do an audit of the books for the Bookkeeper and the Clerk's Office. Councilman Madill and Countryman don't think that they should perform the audits themselves. Attorney Gebo will talk with some of his contacts to see whether or not he might be able to send someone our way.

Verizon Wireless -

RESOLUTION 2007 - 153: Motion by Councilman Schreib and seconded by Councilman Countryman to purchase new cell phones for the Superintendent of the Highway Department, Billy Scarppcchi and the Town Police Department and to also adopt a policy authorizing users to sign an user agreement. Five ayes. Motion carried.

RESOLUTION 2007 - 154: Motion by Councilman Schreib and seconded by Councilman Johnson to adopt a resolution to extend the Wind Farm Moratorium through the end of January 2008. Five ayes. Motion carried.

RESOLUTION 2007 - 155: Motion by Councilman Schreib and seconded by Councilman Johnson to congratulate the Lyme Girls Soccer Team for their victory in the Class D Sectional Championship and wish them the best on the State Championship. Five ayes. Motion carried.

Privilege of the Floor

There was a question directed to the Board regarding the inequality of the Transfer Site fee between the Village and the Town. Councilman Schreib indicated that at a Joint Meeting with the Village and Town and they had discussed a proposal that Village Residents be required to purchase permits and the fee would be rolled into their taxes. There is nothing official as of yet.

Don Metzger - Town of Lyme - Where is the Town in their negotiations with RidgeviewTel? The Supervisor has signed the contract and Mr. Kingsley has taken care of his part. Now the next step is in RidgeviewTel's court. Ridgeview had indicated to the Town that they should have the job completed by the end of November.

Bruce Kingsley

Will the Town be posting the Wind Farm Draft on the web site or giving out copies prior to the Public Hearing to pass the laws?

Councilman Schreib answered by saying that The Town Board commissioned the Planning Board to draft up the regulations. Once they have been drafted up and they get the over lay district the draft is presented back to the Town Council. The Town Council then reviews and makes comments and next schedule the Public Hearing. At that point copies are made available. Anyone is more than welcome to attend a Planning Board meeting to find out what is going on. Giving out copies before the Town Council has actually approved it and put out to Public Hearing would basically be hear-say because nothing is nailed down.

Mr. Kingsley finds it disturbing that the Community can't have more input.

Julia Gosier and Guy attended the bus tour to Maple Ridge and found it extremely educational. The Supervisor from the Town of Lowville answered a lot of questions for them. He had said that to his knowledge nobody from the Town of Lyme Town Board or Planning Board have asked for any input from their experiences. They have a tremendous amount of information ready and waiting.

RidgeviewTel will be servicing the Lowville area and they are using the wind company test towers to mount repeaters.

Julie wishes the Town Board and Planning Board would take advantage of the information and find out the pros and cons.

A motion was made by Councilman Johnson to go in to Executive Session to discuss a collective bargaining issue at 8:15 p.m.

The meeting was adjourned at 9:00 p.m.

Respectfully Submitted by,

Kim Wallace

Town of Lyme Clerk