

December 9, 2020  
Town of Lyme  
Public Hearing 6:15 P.M.  
Regular Monthly Meeting 6:30 P.M.

**Public Hearing for Local Law 1-2020:**

Supervisor Aubertine opened the Public Hearing at 6:20 P.M. and read the ground rules for the hearing.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin (by phone), Councilman Countryman, Councilman Villa, Councilwoman Gosier, Town Clerk Ariana Henderson, Sharon Nicholson, Sandra Wormwood, Jackie Lavarney, Greg Lavarney, Joli Rose, Jerome Rose, Joseph Collins, Heidi Bernier, Jose Bernier, Matt Sugrue, Derek Lavarney, James Collins, and Judith Collins.

***Sharon Nicholson:*** 27004-022 Fire Rd 4

Sharon thanked the Board for all of the hard work they have done and is thankful for the efforts regarding this matter.

***Heidi Bernier:*** 27789 Three Mile Pt Rd

Heidi asked how the moratorium affected current construction on the 12E campground. Supervisor Aubertine stated that Mr. Cohen has been issued a stop work order for the property. The Town also received a letter from the DEC issuing violations to Mr. Cohen. She also asked if the property was zoned commercial. Supervisor Aubertine stated that it is zoned waterfront and agricultural/residential. The moratorium will allow the Town Board to work on zoning laws to possibly extend the waterfront district which would prevent the campground.

***James Collins:*** 27801 Three Mile Pt Rd

James stated that the Town is growing rapidly and the tax base. The traffic has increased already since the marina went in Three Mile Bay. Their family has 23 parcels of land in the Town of Lyme. He wanted to make it clear that everyone that was present there tonight was NOT in favor of the 12E campground. He stated that the owners of the campground are rude and chased permitted hunters off property that they do not own. He called Elise Stefanik's office to discuss the matter and submitted paperwork to her office. She has forwarded the information to the Army Core of Engineers.

***Jolie Rose:*** 7440 Bourcy Rd

Jolie asked who enforces the stop work order that is on the property. Supervisor Aubertine responded that the ZEO/CEO Jim Millington does.

***Sandra Wormwood:*** 7338 NYS Rt. 12E

Sandra stated how appreciative she was for the Board and their efforts regarding the moratorium.

Supervisor Aubertine read the County Recommendations for Local Law 1-2020. Supervisor Aubertine asked the Town if they would like to adopt the law.

**Resolution 2020-145:** Councilwoman Gosier made the motion to adopt local law 1-2020 with the revision to exempt PDD#2 and PDD#3; Councilman Villa seconded the motion; all were in favor; motion carried.

**Resolution 2020-146:** Councilman Villa made the motion to close the public hearing; Councilman Countryman seconded the motion; all were in favor; motion carried.

**Call to Order:**

Supervisor Aubertine called the regular monthly meeting to order at 6:45 p.m. opening the meeting with a prayer and the Pledge of Allegiance.

**Privilege of the Floor**

There was no privilege of the floor.

**Supervisor's Report**

**Resolution 2020-147:** Councilman Villa made the motion to approve the November Supervisor's Monthly Financial report; Councilman Gosier seconded the motion; all were in favor; motion carried.

**Highway Superintendent's Report**

Pat Weston emailed a quote for a new sander to the Town Board. He stated the current sander is in rough shape and they have had it for 12 years. Councilman Villa stated that keeping the roads clear and sanded is the most important job for the highway department in the winter. He suggested in the future when it is time to buy a new dump truck every 5 years, Pat should also look at the other equipment such as the sander. This way the equipment is always up to date, and the highway department will have reliable equipment. Deputy Supervisor Bourquin asked is the new sander was stainless steel. Pat Weston responded that it was. Deputy Supervisor Bourquin then stated he was in favor of the new sander. Pat also reported that he signed the contract with FEMA to receive the money from the Halloween Storm damage. There are still four outstanding projects with FEMA. Supervisor Aubertine stated that it has been a rough three years regarding the weather and the damage that has been done and Pat has done a great job managing it. Pat also completed work for the County and that money along with the CHIPS money should be coming in shortly. Supervisor Aubertine also stated the wreaths the Highway Department hung in the Village looked great.

**Resolution 2020-148:** Councilman Villa made the motion to approve the purchase of a new sander for \$16,855.00; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

**Clerk's Report- November 2020**

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,244.65; Total State County & Local Revenues: \$3,264.65 Total Non – Local Revenues: \$20.00

### Audit of the Bills (Abstracts #23 & #24)

**Resolution 2020-149:** Councilman Countryman made the motion to approve Abstract #23 in the amount of \$769.70; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

**Resolution 2020-150:** Councilman Countryman made the motion to approve Abstract #24 in the amount of \$113,820.90; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

### Approval of the November 11, 2020 Minutes

**Resolution 2020-151:** Councilman Countryman made a motion to approve November 11, 2020 Minutes; seconded by Councilman Villa; all were in favor and the motion was carried.

### Committee Reports

#### **Assessor's Report:**

There was no Assessor's Report.

#### **Municipal Water Board Report:**

There was no Water Board Report.

Highway Superintendent Pat Weston stated he has received several requests for the extension of water on Cheever Road. There are lots for sale across from the Golf Course and they have no water. Supervisor Aubertine stated that he believes that they were going to give 300 feet of pipe for the water line to the owners of the property that requested it at the time, and the owners would pay for the rest of the cost. Supervisor Aubertine asked Pat Weston to call Water Board Chairwoman Marsha Barton to discuss the matter. The process will start with the Water Board and then come to the Town Board for approval.

#### **Planning Board:**

There was no Planning Board Report.

#### **Zoning Board of Appeals (ZBA):**

There was no ZBA Report.

#### **Youth Commission:**

There was no Youth Commission report.

#### **ZEO/CEO Report:**

There was no questions on the October and November ZEO/CEO Report.

#### **TMB Cemetery:**

Councilwoman Gosier stated that Harry Wilson finished the work he was contracted for the Three Mile Bay Cemetery. The money should be transferred from the Three Mile Bay Cemetery savings into the general fund to pay for the bill.

**Soccer Tournament:**

Supervisor Aubertine read the email he received from Mike Lennox to use our soccer fields June 19 and 20, 2021 for a soccer tournament for boys and girls.

“I hope all is well and you are safe and healthy. I would like to inquire and seek your approval to run a boys and girls soccer tournament in Chaumont on June 19 and 20 of 2021. I am working closely with Joe Vaadi (JCC Men’s Soccer Coach) and Todd Heckman (Watertown High School Boys Coach) to put together a quality tourney. Our goal is to use the Town Recreation Fields along with the HS Fields for 8u, 10u, 12u, 14u, 16u and 18u teams. We believe this would be great for the business community in Chaumont and great soccer for area teams and teams throughout the State and Canada. It is our hope to work closely with you and the community in making this a great success for now and in the future. Please let me know what you think and we will go from there.”

Councilwoman Gosier stated that she was in favor of having the tournament and thinks it is a very good idea. Supervisor Aubertine stated as long as they follow Covid-19 restrictions and guidelines he is in favor. He also stated that the Town would not be liable if something did happen at the tournament according to Jefferson County. Councilman Villa was also in favor but reminded Supervisor Aubertine that Mike would need to ask the school to use their fields. The soccer tournament will be called the Lake Ontario Shootout at the Shore.

**Resolution 2020-152:** Councilman Villa made the motion to allow Mike Lennox, Joe Vaadi, and Todd Heckman the use of our Town soccer fields June 19 and 20, 2021 for the Lake; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

**New Business:**

**Zoning Law Proposals:**

Supervisor Aubertine stated that Councilman Villa wanted to discuss two laws that he emailed to the Town Board. The first law was the Domesticated Animals Law. Councilman Villa stated that there had been several requests from residents about people NOT allowing their sheep, alpacas, and so on to run free. Supervisor Aubertine had concerns with law which were;

**3.** All animal waste must be properly disposed of offsite and be kept away from all property or street lines. Disposal off-site shall be no less frequent than weekly.

**4.** Odors from animals shall be controlled so as not to be noticeable in any roadway, sidewalk or neighboring property.

Supervisor Aubertine felt as if it would be hard to control the odors of animal and how often the waste was disposed of. Councilwoman Gosier was also concerned with #3 of the law. She also mentioned we needed to verify that the law in compatible with NYS Agriculture and Markets Law

that we already abide by. Another question she had was whether the Town would have jurisdiction over an accident caused by livestock if it was on a State or County Road. Councilman Villa stated it would be the same as when we have jurisdiction over a dog. He stated that he was over the point where nothing is updated in our zoning law. He feels something needs to be done sooner than later. Councilman Countryman asked if people that currently have fences would be grandfathered in because of

2. The fences or penned-in areas are setback at least 15 feet from all property lines and no closer to the road than the rear line of the residence.

Pat Weston agrees with the law because he has seen animals hit and have to suffer and it is very dangerous for animal to run free in the road. Councilman Bourquin didn't agree with several points of the law. The decision was made by Councilman Villa to table the law. Supervisor Aubertine stated it would be tabled until the Board could review it further.

The second law was the Short Term Rental Law. Supervisor Aubertine asked Deputy Supervisor Bourquin if he had any concerns with the law. Deputy Supervisor Bourquin stated he thought the Town should have a registration form for the Short Term Rental owners and also that we should include something regarding snowmobiles. One of the complaints that we have received is that snowmobiles have been going across neighbors properties. Councilman Villa stated he left out the registration form because that was one of the biggest complaints when the Town had the first public hearing on the original proposed law. He said that the law states the maximum occupancy for each short-term rental shall be two people per bedroom plus two. For example, a short-term rental with three bedrooms is allowed eight occupants. Another section of the law Councilman Villa highlighted was that the short-term rental owner must provide all owners of property adjacent to the short-term rental with the name, address and telephone number of a contact person or entity. Such contact person or entity must be able to address any complaint received regarding the short-term rental site within one hour of receiving the complaint. The Town Board agreed that the Town of Lyme should also be notified along with the neighbor of the contact information. There was further discussion on how the short term rental owner would notify the Town of Lyme whether it was an email or there would be a form to complete.

**Resolution 2020-153:** Councilman Villa made the motion to send the proposed Short Term Rental Law to the Town Attorney and County Planning for review; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Supervisor Aubertine completed the Short SEQR form with the Town Board.

**Resolution 2020-154:** Councilman Villa made the motion to set the Public Hearing for the Short Term Rental Law for January 13, 2021 at 6:15 p.m.; seconded by Councilman Countryman; all were in favor and the motion was carried.

**Supervisor Appointed Committee:**

Supervisor Aubertine stated he can appoint a committee if he feels it is needed. He would like to assign ZBA Chairwoman Judi Bates, Councilwoman Julia Gosier, and Planning Board Member Susan Warner to study our zoning laws and make the appropriate changes. He said the Planning Board is too busy to revise the laws but it needs to be done. One law he would like to see worked on is Property Maintenance so that our Zoning Officer will enforce it. Councilwoman Gosier stated one of their main focuses should be the issues that the Town has been facing with waterfront properties and preserving the waterfront properties.

### Old Business:

#### Year End Meeting:

Supervisor Aubertine reminded the Board that the Year End Meeting is scheduled for December 30, 2020 at 6:30 p.m. The Board also discussed the best date for the Organizational Meeting.

**Resolution 2020-155:** Councilman Villa made the motion to hold our organizational meeting at January 7, 2021 at 6:30 p.m.; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

### Online Privilege of the Floor

There was no online privilege of the floor.

### Privilege of the Floor

***Heidi Bernier:*** 27789 Three Mile Pt Rd

Heidi suggested that we may need more porter johns for the soccer tournament because of the number of teams and parents that will attend. She also asked if Jeffery Cohen received a permit to build the second cabin on his property. Supervisor Aubertine stated he did not have permission from anyone at the Town or at the State level. Heidi was also concerned about the 9 cabins and 121 proposed RV sites and stated they didn't move to the area to live near a campsite. Councilwoman Gosier stated that the goal of the moratorium was to prevent that from happening.

### Executive Session

**Resolution 2020-156:** Councilman Villa made the motion to enter Executive Session at 8:00 p.m.; seconded by Councilman Countryman; all were in favor and the motion was carried.

**Resolution 2020-157:** Councilman Villa made the motion to close Executive Session at 8:15p.m.; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

### Return to Open Meeting

**Resolution 2020-158:** Councilman Villa made the motion to enter Open Meeting at 8:15:10 p.m.; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

### Adjournment

**Resolution 2020-159:** Councilman Villa a made the motion to adjourn; seconded by Councilman Countryman; all were in favor and the motion was carried; meeting was adjourned at 8:15:15 p.m.

Respectfully Submitted

*Ariana Henderson*

Ariana Henderson  
Town Clerk