

**November 11, 2020
Town of Lyme
Regular Monthly Meeting 6:30 P.M.**

Call to Order:

Supervisor Aubertine called the regular monthly meeting to order at 6:30 p.m. opening the meeting with a prayer and the Pledge of Allegiance.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilman Countryman, Councilman Villa, Town Clerk Ariana Henderson, Legislator Johnson, Edward Barton, Edward Barton JR., and Sharon Nicholson.

Privilege of the Floor

Water Facility:

Supervisor Aubertine read the water board requirements for the construction of a new water facility:

Metal roof to include 12" overhang. Soffit enclosed with vented material.

Exterior: Aluminum siding. Front outside swing door. Window on road side.
Electric door lock will need to be reconnected.

Interior: Insulate building.
Cover walls and ceiling with PVC wall panels (see attached) or
Equivalent material (as approved by Water Board)
Install 2 6" recessed LED lights.
Heating system to be reinstalled or replaced, if necessary.
Commercial ventilation system installed.
Complete redesign of water fill station and drain system (design to
Include ease of filling and cleaning.)

The Town received one bid from Barton and Son's for \$19,500.00. Their bid listed all of the requirements the Water Board requested. Deputy Supervisor Bourquin asked when the builders could begin the project. Mr. Barton responded that they planned on starting in the early spring. Councilman Countryman asked how long the project would take and Mr. Barton responded one month. Councilman Villa expressed his concerns of having the water facility down for one month. He stated several residents rely on the water facility and he would like to see it done in a shorter time period. Mr. Barton stated that he anticipated closer to two weeks but wanted wiggle room in case of the weather or another obstacle.

Resolution 2020-136: Councilman Countryman made the motion to accept the bid from Barton and Son's Builders for \$19,500.00 to reconstruct the water facility; Councilwoman Bourquin seconded the motion; all were in favor; motion carried.

Legislator Bill Johnson: Legislator Johnson said the County passed their 2021 budget last night. It was a tough year. New York State reduced the state aid by 20% which was about 4 million dollars for the County. The budget is \$250 million dollars and the taxes increased .06 per thousand bringing them under the tax cap. One significant change the County made was they reduced the sales tax revenue by \$500,000.00. Supervisor Aubertine commented that the Town did not reduce their sales tax revenue by much. He also expressed his concerns about receiving the taxable value numbers four days before we had to adopt the budget. He wondered if this could be avoided in the future. Supervisor Aubertine already expressed his concern to Kelly Davis at the County. Legislator Johnson stated he would check into this for the Town, he agrees. Deputy Supervisor Bourquin said he saw that the new radios have been installed in the highway trucks. We should be receiving a bill soon. Legislator Johnson stated that there will be a training session coming soon for the users. Everything seems to be working well. The new system will go live next month for non-emergency vehicles and the emergency vehicles systems will go live the month following. The warranty on the radios doesn't begin until the radios are live.

Supervisor's Report

Supervisor Aubertine went over the Supervisor's Report with the Board. He stated the engineering costs were over budget but we increased the fund for 2021. Deputy Supervisor Bourquin stated in 2021 we could also bill the State for our engineering costs for the park. Supervisor Aubertine mentioned that Victoria from Bernier and Carr sent an email on how to handle the billing for in-kind services. Supervisor Aubertine stated we needed to set up a meeting to meet with Bernier and Carr to discuss all of the options.

Resolution 2020-137: Councilman Villa made the motion to approve the September Supervisor's Monthly Financial report; Councilman Countryman seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

Pat Weston was not present at the meeting.

Clerk's Report- October 2020

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,813.10; Total State County & Local Revenues: \$3,859.60, Total Non – Local Revenues: \$46.50

Audit of the Bills (Abstracts #21 & #22)

Resolution 2020-138: Councilman Villa made the motion to approve Abstract #21 in the amount of \$29,461.76; seconded by Councilman Countryman; all were in favor and the motion was carried.

Resolution 2020-139: Councilman Villa made the motion to approve Abstract #22 in the amount of \$71,786.78; seconded by Councilman Countryman; all were in favor and the motion was carried.

Approval of the September 9, 2020 Minutes

Resolution 2020-140: Councilman Countryman made a motion to approve the October 12, 14, 19, 2020 Minutes and November 5, 2020 Minutes; seconded by Councilman Villa; all were in favor and the motion was carried.

Supervisor Aubertine was reminded when he read the minutes that the reason the budget changed the night of the hearing was because the Town Development fund was raised by \$10,000.00.

Committee Reports

Assessor's Report:

There was no Assessor's Report.

Municipal Water Board Report:

Marsha Barton submitted the Water Board Report as follows:

Water Moratorium Letter

I am attaching a copy of the Water Moratorium Letter that all municipalities in New York State are required to send to all customers due to amendments that were signed into the Public Service Law on June 17, 2020.

Update on Potential Water District

The Water Board held a conference call with Terry Deuel and others from the New York State Environmental Facilities Corp. They discussed funding opportunities for municipalities. Their agency only funds loans, not grants. They do, however, submit your request to other agencies for grants. There is no money in New York State for grants at this time. We did request Bernier & Carr to submit the form required to be put on the list of possible projects when and if funds became available.

Assemblyman Walczyk also attended our November meeting, He also said there is no money available at this time. He did say that he would put the Town of Lyme on the top of his list when funding becomes available.

We will be discussing on how we should proceed on this project at our next meeting and submit our findings to the Town Board.

Supervisor Aubertine read the Water Moratorium Letter and there were no questions regarding the Water Board Report.

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. Supervisor Aubertine thanked Scott Radley for cleaning out the Youth Commission shed and taking down the soccer nets.

ZEO/CEO Report:

There was no ZEO/CEO Report.

TMB Cemetery:

There was no report on the Three Mile Bay Cemetery.

New Business

Zoning Law Amendment Review:

Supervisor Aubertine stated that the Town Board has realized that the current zoning laws are not adequate to address certain types of development. The Town will enact a moratorium to make the laws more adequate. He then introduced Local Law 1 of 2020. A Local Law to establish a moratorium on applications and/or construction of Recreational Vehicle Developments, Campgrounds and Marinas in the Town of Lyme to permit the Town Board of the Town of Lyme sufficient time to review its laws and to revise regulations that need more Be it enacted by the Town Board of the Town of Lyme as follows:

Section 1. AUTHORITY. This local law is adopted pursuant to Article 16 of the Town Law, the New York State Executive Law, §10 of the Municipal Home Rule Law; and Section IX of the New York State Constitution.

Section 2. INTENT and PURPOSE. The Town Board of the Town of Lyme has determined that the current Laws of the Town of Lyme relative to the regulation of Recreational Vehicle Developments, Campgrounds and Marinas within the Town may be inadequate to address the proper development of such land use activities and the impact thereof on the surrounding properties and the general health and welfare of the community. In order to permit the Town sufficient time to conduct a review of the current laws and enact revisions if deemed appropriate, it is the finding of the Town Board that it is necessary to establish a moratorium of six (6) months on such land use activities pending the adoption of said of revisions to the current laws.

Section 3. There is hereby enacted a moratorium for a period of six (6)months from the effective date of this local law on the review and processing of applications and/or development within the Town of Lyme on land use activities involving of Recreational Vehicle Developments, Campgrounds and Marinas which are submitted following the effective date of this local law.

Section 4. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this local law shall be adjudged invalid, such judgment shall apply only to such section, paragraph, subdivision, clause or provision so adjudged, and shall not affect, impair, or invalidate any other part or portion of this local law.

Section 5. EFFECTIVE DATE. This local law shall take effect upon filing with the Secretary of State.

Resolution 2020-141: Councilman Villa made the motion to send Local Law 1-2020 to the County Planning Board for review; Councilman Countryman seconded the motion; all were in favor; motion carried.

Set Hearing Dates:

Resolution 2020-142: Councilman Countryman made the motion to have a public hearing for Local Law 1-2020 on December 9, 2020 at 6:15 p.m. at the Chaumont Fire Hall; Councilman Villa seconded the motion; all were in favor; motion carried.

NYS Municipal Snow and Ice:

Resolution 2020-143: Councilman Countryman made the motion to accept the NYSDOT Municipal Snow and Ice agreement adjustment/calculation worksheet for the 2020/21 Snow and Ice Season; Councilman Villa seconded the motion; all were in favor; motion carried.

Proclamation Request:

Supervisor Aubertine read the email we received about a proclamation. “We are respectfully requesting that you consider joining city and county leaders across the country in officially recognizing January 24 – 30, 2021 as School Choice Week in LYME. Issuing a proclamation provides an opportunity to shine a positive spotlight on the K-12 education options available for children and families in LYME. Our goal is simply to raise awareness, among parents, of the public and nonpublic K-12 education options available to their children.” The Town Board decided not to act on the proclamation.

WPVP RE: Justices:

Supervisor Aubertine wanted the Boards opinion on what to do regarding the Justices of the Town not signing the Workplace Violence Policy. He called Justice Wallace today but he has not responded. He reached out to Judge Gideon, Luke Parga from NYS Department of Labor, and Lori Mithen the Association of Town’s Attorney by email asking for advice on how to handle the situation. Luke Parga stated in his email “Yes they are considered town employees and are required to complete the training, failure to do so will result in non-compliance for the town which penalties will be assessed per day until the training is complete.” Lori Mithen stated that “If the town justices have determined that the town’s workplace violence policy and training requirements are not applicable to the town’s justice court, then the justices and court staff should sign a statement to that effect for the town’s files.” Legislator Johnson has heard of County Legislators not taking the training but didn’t know the solution the County used to solve the issue. Councilman Villa suggested contacting other Town Supervisors to see if they had a similar problem. There was discussion to whether the training could be taken online. He suggested Supervisor Aubertine wait for a response from Judge Gideon. The rest of the Board agreed.

Water Tower Painting Three Mile Bay:

Supervisor Aubertine stated that the Three Mile Bay Water Tower looks terrible and needs to be painted. He will let Marsha know that the water board should consider this.

Joint Meeting:

Supervisor Aubertine asked that the Board come up with a date that the Town Board, Planning Board, ZBA, and ZEO could meet. He wants all of the boards to be on the same page. He

suggested December 30, 2020 at 6:30 pm with our year end meeting to follow. Councilman Countryman suggested that everyone should come up with an outline of what they want the outcome of the meeting to be so there is some direction and structure to the meeting. There was discussion on what the agenda for the joint meeting should be. Supervisor Aubertine wants the Town Board to send him thoughts on what should be discussed.

Old Business:

There was no old business.

Online Privilege of the Floor

There was no online privilege of the floor.

Privilege of the Floor

There was no privilege of the floor.

Executive Session

There was no executive session.

Adjournment

Resolution 2020-144: 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 7:35p.m.

Respectfully Submitted

Ariana Henderson

Ariana Henderson
Town Clerk