

September 9, 2020  
Town of Lyme  
Steve Weed Publications Presentation 5:45 P.M.  
Sportsman's Hideaway Campground Public Hearing 6:25 P.M.  
Regular Monthly Meeting 6:30 P.M.

**Steve Weed Productions Presentation:**

Steve Weed presented the Town Board with his services at 5:45 p.m. He could set up a laptop purchased by the Town for all of the Town meetings to be taped. Everything would be streamed through Lyme TV as it is now. The price for his services would remain at \$250.00 a month. He thanked everyone for the continued support of his business for 11 years at the Town of Lyme.

**Public Hearing Sportsman's Hideaway Campground:**

Supervisor Aubertine opened the public hearing at 6:25 p.m. Clerk Henderson read the Public Hearing Notice out loud:

*The Town of Lyme will receive a presentation from Steve Weed Productions at 5:45 p.m. The Town of Lyme will also be holding a Public Hearing on Wednesday September 9, 2020 at 6:25 p.m. at the Town Municipal Offices located at 12175 NYS RT 12E, Chaumont, NY to amend PDD#2 for Sportsman's Hideaway Campground located at 30167 County Route 179 Chaumont, NY 13622. The regular monthly meeting and any other business that may come before the Board will follow at 6:30 p.m. All persons wishing to be heard on the issue should be present at the time and place set forth or have written comments submitted to the Town Board or Clerk prior to that date and time. Any person requiring special accommodations to participate in such Public Hearing should notify the Town Clerk at 315-649-2788 at least 3 business days prior to the hearing.*

Supervisor Aubertine opened the floor for the public to speak regarding the amendment to PDD#2 for Sportsman's Hideaway Campground.

The engineer from Sportsman's Hideaway Campground Michael Lasell presented the Town Board with a map of the Sportsman's Hideaway Campground. He stated the original PDD in 1997 had 14 RV sites and 20 tent sites. The campground now has 36 seasonal RV sites. The owner Debra Kitzi had a survey done which maps out all of the sites and had the sites inspected.

Michael Lasell requested the revision of the PDD#2 to reflect the maximum density the campground could hold, instead of the number of RV sites so that if the new owners decide to expand in the future they won't have to come before the Town Board. They will still have to present their expansion plans to the planning board. The sand filter they currently have at the campground can filter up to 3,000 gallons and is only handling 2,600 gallons. This goes to show that if the new owners wanted to expand the sand filter could handle it.

Councilman Villa asked what the maximum number of sites the sand filter could handle and Michael responded that it could handle 5 more sites. He also asked when the third parcel of land shown on the map and the 15 extra sites were legally added to the campground. Debra Kitzi answered that she honestly didn't know because her husband dealt with all of the business regarding the campground and he passed away 4 years ago. Councilman Villa stated that he was concerned with approving a maximum density verse a maximum site number because the

original PDD was expanded without getting approval from the Town Board. Michael Lasell responded that they knew they made that mistake in the past but they can't change that now. If the Board approved a maximum density or number of sites the campground owner will have to come in front of the planning board regardless to expand.

Councilwoman Gosier had no problem approving the original 36 sites Debra Kitzi requested. She was concerned about the environment if the new owners were to expand. She spoke with a DEC officer who stated the river was very slow running and has a low capacity at accepting more septic waste. There are also sink holes on County Route 179 that could be a concern. Michael Lasell stated that they would need DEC and Board of Health approval before moving forward with any expansion.

Supervisor Aubertine read the County Planning Recommendations out loud to make sure everything was addressed.

Marla Cohen (the potential buyer of Sportsman's Hideaway Campground) stated she believes it is in the best interest for the Town to allow the PDD#2 to state the maximum density opposed to maximum number of sites. It will save the Town money and time in the long run. She doesn't see the need to keep coming before the Town Board every time they want to add something to the campsite.

Sandra Wormwood asked what the potential number of sights would be if the potential buyer was to expand the Sportsman's Hideaway Campground. Michael Lasell responded with 30 RV sites.

There was further discussion regarding PDD#2.

Supervisor Aubertine closed the public hearing at 7:21 p.m.

**Call to Order:**

Supervisor Aubertine called the regular monthly meeting to order at 7:24 p.m. opening the meeting with a prayer and the Pledge of Allegiance.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilwoman Gosier, Councilman Terry Countryman, Councilman Villa, Town Clerk Ariana Henderson and Highway Superintendent Pat Weston.

**Privilege of the Floor**

**Resolution 2020-107:** Deputy Supervisor Bourquin made the motion for a Zoning Change to amend PDD #2 to change the wording from 14 Recreational Vehicle sites and 20 tent sites and allow for up to 45 Recreational Vehicle sites. Additionally, all Recreational Vehicle sites must adhere to Article VII, Section 765 of the Town Zoning Ordinance. This action is contingent upon the applicant paying for the administrative costs required by Article 9, section 925 of the Town zoning law and contingent upon receiving a Special Permit from the Town Planning Board and approval of all state agencies, (i.e. Department of Health, Department of Environmental Conservation, Department of Transportation and the Army Corps of Engineers). Any further development or alterations to the approved site plan shall require an updated PDD and Special Permit from the Town; Councilman Countryman seconded the motion; Supervisor Aubertine,

Deputy Supervisor Bourquin, Councilwoman Gosier, Councilman Terry Countryman, Councilman Villa; all were in favor; motion carried.

**Resolution 2020-108:** Deputy Supervisor Bourquin made the motion to declare the SEQR for Sportsman’s Hideaway Campground a negative declaration; Councilman Villa seconded the motion; all were in favor; motion carried.

**Legislator William Johnson:**

Legislator Johnson stated that it was a quiet month and the County is still stewing over their budget. Councilman Villa asked if Legislator Johnson had any indicators on how much the 4<sup>th</sup> quarter sales tax amount would be. Legislator Johnson stated it was only down 3% from 2019 but that was as of May. They should know more about the numbers this month. He is more concerned with what the State is going to do with their funding money.

**Supervisor’s Report**

**Resolution 2020-109:** Councilman Villa made the motion to approve the August Supervisor’s Monthly Financial report; Councilwoman Gosier seconded the motion; all were in favor; motion carried.

**Highway Superintendent’s Report**

Pat Weston stated we should receive \$80,000 from FEMA for the pavement damage on South Shore Road. He is starting to replace the culverts on County Route 125 for the County which the Town will also get reimbursed for. Pat found that the leak in Three Mile Bay on 12 E was coming from Rachel Sugrue’s septic system. He dug a hole where the water was collecting and took a sample to Converse Labs which tested positive for e-coli, proving it was the septic. Deputy Supervisor Bourquin asked Legislator Johnson if he had heard anything regarding the REDI funds in relation to the Isthmus and County Route 125. Legislator Johnson had not heard anything. Councilman Villa asked if Supervisor Aubertine had sent the state a letter regarding the storm catch basins collapsing on 12E. Supervisor Aubertine misunderstood and thought Pat Weston would call but he will send a letter to the State.

**Clerk’s Report- August 2020**

Monthly Receipts were as follow: Total Local Shares Remitted: \$6,533.75; Total State County & Local Revenues: \$6,575.25, Total Non – Local Revenues: \$41.50

**Audit of the Bills (Abstracts #17 & #18)**

**Resolution 2020-110:** Deputy Supervisor Bourquin made the motion to approve Abstract #17 in the amount of \$11,966.84; seconded by Councilman Countryman; all were in favor and the motion was carried.

**Resolution 2020-111:** Deputy Supervisor Bourquin made the motion to approve Abstract #18 in the amount of \$175,686.12 which includes the annual 2021 retirement payment and 2 quarterly payments for Fire Departments; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

#### **Approval of the August 19, 2020 Minutes**

**Resolution 2020-112:** Councilman Villa made a motion to approve the August 19, 2020 Minutes with amendments to add Gosier after Councilwoman and add O'Brien after Heather's name regarding Youth Commission; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

#### **Committee Reports**

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

There was no report for the Assessors.

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

There was no report for the Water Board.

##### **Planning Board:**

There was no questions on the Planning Board Report. Supervisor Aubertine made a statement that he read from his email that the "Lake Ontario Marine Works has applied for a variance with the ZBA. He wasn't sure if that is still the case, but, just a reminder that if any hearings are to be held on this project, we promised the neighbors they would be notified."

##### **ZBA:**

There was no Zoning Board Report.

##### **Youth Commission:**

Youth Commission did not meet this month.

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

Total Permit Receipts: \$1,755.00; Total RV Permit: YTD: \$1,600.00; Total Permit Receipts YTD - \$9,192.00.

Supervisor Aubertine stated that Deputy Supervisor Bourquin's building permit should have been put through the Village not the Town.

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

There was no report from the ZBA.

##### **TMB Cemetery:**

Councilwoman Gosier reported that she has asked Highway Superintendent Pat Weston to help her plot out the cemetery spots for future families so that when someone else takes over the cemetery they will know exactly where the plots are located.

New Business

Bond Resolution for Veteran's Memorial Park:

Resolution 2020-113: Councilmember Villa presented the following resolution and moved that it be adopted:

**BOND RESOLUTION DATED SEPTEMBER 9, 2020 AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE TOWN OF LYME, JEFFERSON COUNTY, NEW YORK IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,300,200 TO CREATE A PUBLIC PARK INCLUDING DOCKS, WALKWAYS, SITE LIGHTING, PARKING, SHORELINE PROTECTION STRUCTURES, INFORMATION KIOSK, KAYAK LAUNCH, ONE WAY DRIVING LOOP, PARKING, PAVILION, BATHROOM, PICNIC AREA, PLAYGROUND, ADDITIONAL WALKING PATHS, ADDITIONAL RETAINING WALLS, AND LANDSCAPING, THE EXPENDITURE OF SUCH SUM FOR SUCH PURPOSE, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, pursuant to a resolution duly adopted by the Town Board of the Town of Lyme, Jefferson County, New York (the "Town") on August 19, 2020, the Town Board determined that the Purpose (as herein defined) is a "Type I Action" under the New York State Environmental Quality Review Act and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State of New York and further determined that the Purpose will not have a significant adverse effect on the environment and issued a negative declaration with respect to the Purpose; and

NOW THEREFORE BE IT RESOLVED, by the Town Board of the Town of Lyme (by the favorable vote of not less than two-thirds of all of the members of the Board) as follows:

Section 1. The Town is hereby authorized to issue its serial general obligation bonds or a statutory installment bond (the "Bonds") in the aggregate principal amount of not to exceed \$1,300,200 pursuant to the Local Finance Law of New York, in order to finance the class of objects or purposes described herein.

Section 2. The class of objects or purposes (herein referred to as “Purpose”) to be financed pursuant to this resolution is to create a public park including docks, walkways, site lighting, parking, shoreline protection structures, information kiosk, kayak launch, one way driving loop, parking, pavilion/heritage center, bathroom, picnic area, playground, additional walking paths, additional retaining walls, and landscaping, the expenditure of such sum for such purpose, and determining other matters in connection therewith.

Section 3. It is hereby determined and declared that (a) the maximum cost of the Purpose, as estimated by the Town Board, is \$1,300,200, and (b) the Town plans to finance the cost of the Purpose entirely from a grant of up to \$1,182,000 through the Dorm Authority of the State of New York and funds raised by the issuance of the Bonds and bond anticipation notes hereinafter referred to.

Section 4. It is hereby determined that the Purpose is one of the class of objects or purposes described in Paragraph (a) (19)(c) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the Purpose is fifteen (15) years. The cost of the Purpose is chargeable primarily to benefited real property. The proposed maturity of the Bonds authorized herein will be in five (5) years or less.

Section 5. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of bond anticipation notes issued in anticipation of the sale of the Bonds (including renewals thereof) is hereby delegated to the Supervisor of the Town, the chief fiscal officer.

Section 6. The power to prescribe the terms, form and contents of the Bonds and bond anticipation notes, including the use of substantially level debt service and consolidation with other issues, subject to the provisions of this Resolution and the Local Finance Law, and to sell

and deliver the Bonds and bond anticipation notes, is hereby delegated to the Supervisor of the Town. The Supervisor of the Town is hereby authorized to sign and the Town Clerk is hereby authorized to attest any Bonds and bond anticipation notes issued pursuant to this Resolution, and to affix to such Bonds and bond anticipation notes the corporate seal of the Town.

Section 7. The faith and credit of the Town of Lyme, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such Bonds and bond anticipation notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year, to the extent the necessary funds are not provided from other sources. There shall at least annually be levied on properties sufficient to pay the principal of and interest on such Bonds and bond anticipation notes as the same become due and payable.

Section 8. The Supervisor of the Town is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Bonds authorized by this Resolution, and any bond anticipation notes issued in anticipation thereof, as excluded from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the Bonds authorized by this resolution, and any bond anticipation notes issued in anticipation thereof, as "qualified tax-exempt obligations" in accordance with Section 265(b)(3) of the Code.

Section 9. Pending the sale of Bonds herein authorized, the temporary use of funds from the Town's general fund, pursuant to the provisions of Section 165.10 of the New York Local Finance Law, is hereby authorized. The Town reasonably expects to reimburse itself from the proceeds of Bonds or bond anticipation notes herein authorized for expenditures made for the

purpose to be financed by this Resolution prior to the issuance of such Bonds or bond anticipation notes, and this Resolution shall constitute the declaration of the Town's "official intent" to reimburse expenditures authorized by Section 1 with proceeds of the Bonds and notes, as required by United States Treasury Regulation Section 1.150-2.

Section 10. A summary of this Resolution shall be published by the Town Clerk together with a notice in substantially the form prescribed by Section 81.00 of said Local Finance Law, in the Watertown Daily Times, a newspaper having a general circulation in said Town and hereby designated as the official newspaper of said Town for publication. The validity of the Bonds or of any bond anticipation notes issued in anticipation of the sale of the Bonds may be contested only if such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or the provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or if said obligations are authorized in violation of the provisions of the Constitution.

Section 12. In connection with the financing of the Purpose, the Town is hereby authorized to participate in the Lake Ontario Resiliency and Economic Development Initiative program (the "REDI Program"). The Supervisor of the Town is hereby authorized to execute and deliver such documents as may be necessary to effect the participation of the Town in such REDI Program.

Section 13. The firm Barclay Damon, LLP is hereby appointed to serve as Bond Counsel to the Town in connection with the bonds and notes herein authorized.

Section 14. This Resolution is effectively immediately.

The Motion having been duly seconded by Councilmember Countryman, it was adopted and

the following votes were cast:

Scott Aubertine, Supervisor	yes X	no ___
Don Bourquin	yes X	no ___
Julia Gosier	yes X	no ___
Terry Countryman	yes X	no ___
Daniel Villa	yes X	no ___

Local Share Resolution:

Resolution 2020-114: REDI VETERAN’S MEMORIAL PARK PROJECT

**WHEREAS**, the Town of Lyme received \$1,182,000 from the REDI Grant for the following Veteran’s Memorial Park Project:

- Creation of a Public Park including docks, walkways, site lighting, parking informational kiosk.
- Shoreline protection structures.
- Kayak Launch.
- Pavilion.
- Bathroom.
- Picnic area.
- Playground.
- Walking Paths.
- Retaining Walls.
- Landscaping.

**NOW, THEREFORE**, be it

RESOLVED by the Town Board of the Town of Lyme as follows:

1. The foregoing recitations are incorporated herein and made part hereof as if fully set forth hereafter.
2. That the Town of Lyme authorizes and appropriates a five percent (5%) local match as required by the grant Program and that grant funds may be used to reimburse project costs paid from Bond Anticipation Notes before issuance of long term debt.

A motion to adopt the foregoing resolution was made by Councilmember Villa and seconded by Councilmember Gosier and upon a roll call vote of the Board was duly adopted as follows:

Scott Aubertine, Supervisor	yes X	no___
Dan Bourquin	yes X	no___
Julia Gosier	yes X	no___
Terry Countryman	yes X	no___
Daniel Villa	yes X	no___

Bernier and Carr had emailed the Town Board a new concept plan for Veteran’s Memorial Public Park. They would like the Board’s opinion on the drawing so they can move forward with the construction drawing. Councilwoman Gosier stated that she would like the park to be enjoyed by everyone. She believes it should be handicap accessible because the area we live in is heavily impacted by disabled Veterans. When grants are applied for this is also something that NYS will require. She thought that the parking lot should be closer to the water so that it can be easier for these Veterans and Handicap residents. Councilman Villa disagreed and stated that if the parking lot stayed where it was on the drawing that the handicap spaces can be located the closest to the water. He doesn’t believe we should allow people to drive to the water because everyone would be driving down to the water. There was further discussion on the drawing received from Victoria Reagan at Bernier and Carr.

**Transfer Site Map:**

Supervisor Aubertine stated that Councilman Villa has come up with a new route for the entrance and exit of the Transfer Site. Councilman Villa stated that having an entrance and exit would allow for a permit check and create a better flow of traffic. The bins would have to be moved so that there is a trash bin and a recyclable bin on both sides. Councilman Countryman said this would help with the safety also because it has been so busy. Highway Superintendent Pat Weston’s only concern is that the recycling bins may be too low, but they can always build something to go underneath it. There was further discussion on how the two entrances would benefit the transfer site.

**Old Business:**

**STAT Communication Quotes:**

Steve Weed presented his broadcasting services to Councilman Villa. Councilman Villa would like to stick with his services, and the Board members agreed.

**Resolution 2020-115:** Councilman Villa made a motion to broadcast our own meetings, using our own equipment through Steve Weed Productions; 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

There was no privilege of the floor.

Executive Session

There was no executive session.

Adjournment

**Resolution 2020-116:** Councilwoman Gosier made the motion to adjourn; seconded by Councilman Villa; all were in favor and the motion was carried; meeting was adjourned at 8:58 p.m.

Respectfully Submitted

*Ariana Henderson*

Ariana Henderson  
Town Clerk