

July 13, 2022
Town of Lyme
Regular Monthly Meeting 6:30 P.M.

Call to Order:

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

Those present included Supervisor Countryman, Deputy Supervisor Bourquin, Councilmember Gosier, Councilmember Farrell, Councilmember Villa, Town Clerk Ariana Henderson, Highway Superintendent Pat Weston, Legislator William Johnson, Robert Ward, Cathy Ward, Leon Walker, Lorraine Sorrell, Joan Wilder, John Rusho and Jennifer Kingsley.

Privilege of the Floor

Legislator William Johnson: The County passed the redistricting map at their last meeting based on the 2020 census information collected. The Town of Lyme district didn't change. The Town of Brownville lost about 600 people in their district. There is about 7700 people per district. The prison population in Cape Vincent was previously counted toward Cape Vincent's district, but the regulations were changed and they are counted in the Town they are a resident in.

The County also passed the Jefferson Community College Budget. There was a 2% increase. The College also increased their tuition by 2%.

The 2nd Quarter Sales tax decreased slightly in comparison to last year. The total sales tax figure to date is up from last year by 3%.

The Bass Master Pro Tournament will be held in Clayton this year from July 14th to July 17th. The County helped sponsor this event with the Clayton Chamber of Commerce; they contributed \$45,000.00.

Cathy Ward: Mrs. Ward stated she was present to follow up on the Solar Project that was previously discussed on Old Town Springs Road. She was asking if the board has approved or updated any Zoning Laws or received any updates on the project.

Supervisor Terry Countryman: Supervisor Countryman explained that the only solar projects he has been updated on is the Riverside project which is still being reviewed. That is still in limbo. He said she actually told him more information than he originally knew at the last meeting. As far as the Zoning Law goes they're still working with Barton and Loguidice to improve the law, including the solar law. Our current zoning law does address screening, setbacks, etc., but does not specify areas where solar would and wouldn't be allowed. This would be an approach when the law is revisited to designate areas for solar that would and wouldn't be appropriate.

Cathy Ward: Mrs. Ward stated that she had heard they were not allowed on the lakeside of 12E which didn't make much sense. Why would the lake be favored? That doesn't seem fair. She has river property does that count? She also questioned what the setbacks were. There was further

discussion on the 94C process and how the New York State has the last say in the permitting process.

Lorraine Sorrell: Ms. Sorrell questioned what happens to property values when a solar farm goes into your back yard. She stated she didn't purchase a home here to live for decades to see construction vehicles and bright lights traveling up and down her road every day or solar panels. She also asked if the neighbors of the solar property would be notified if the project was going to go through. Deputy Supervisor Bourquin stated that there will be open houses and community events put on by the solar company.

Joanne Wilder: Mrs. Wilder stated that we don't have a choice in the matter. It seems like these solar companies just take over.

Supervisor Terry Countryman: Supervisor Countryman stated the benefits of the Solar Projects coming into our Town. Some benefits include a PILOT program and Community Host Agreements.

Councilmember Gosier: Councilmember Gosier reminded the residents that they don't get notified or informed of private leases the solar companies make with land owners.

Robert Ward: Mr. Ward questioned the Town on whether they were for or against solar projects in the Town. He stated how terrible it will be to have construction vehicles and drilling sounds in their neighborhood. It will be five times the size of the project across the river.

John Rusho: Mr. Rusho received a flyer in his mailbox regarding the solar project that is occurring behind his house. The flyer said to come to the Town Board Meeting to get more information on the project. He is mystified. He assumes the driveway that received a variance next to his home is for Solar.

Legislator William Johnson: One issue the solar companies will face is the transmission lines going south are not big enough to transport the electricity. This doesn't mean the project can't happen but the lines will need large updates.

Councilmember Farrell: Mr. Farrell stated that they are upgrading the power lines in Massena as we speak. He isn't sure if it will affect the current issues.

There was further discussion regarding the potential Solar Project on Old Town Springs Road.

John Rusho: Mr. Rusho stated that when he bought the property he was told that his property started at the edge of the road by two employees at the Town of Lyme. One employee was CEO Jim Millington. His property actually begins at the center of the road and he now has to move his shed 10 feet forward on his property. He found this very frustrating considering he received a permit and approval from our Zoning Enforcement Officer.

Supervisor Terry Countryman: Supervisor Countryman said that the Town Board will do everything in their power to inform the public regarding any issues of the Town.

Robert Ward asked the Town Board to please research this issue further.

Supervisor's Report

Councilmember Villa questioned why was the access in the non-property sales tax distribution credited to highway fund DA which would put us over budget \$57,778.00 instead of putting it in the General Fund.

Resolution 2022-103: Councilmember Villa made the motion to approve the June Supervisor's Monthly Financial report; Councilmember Gosier seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

Pat Weston reported that the highway department was notified last Thursday of a possible water leak in Three Mile Bay. He assumed it was going to be where the sleeve was placed. After digging, contacting Bill Pickett, DANC and Greg Ingerson the leak was not found. They are struggling to find the leak. Councilmember Villa stated that if we need to hire someone to find the leak he authorizes us do so. The Valve for the water tower is \$1600.00 to be repaired and will be good for a while. The playground equipment that the Town received from the School is not safe. There are broken and missing pieces and half of the bolts are stripped or missing. Pat Weston would like to scrap the material. He can use the swing sets but that is about it. Councilmember Villa stated that we shouldn't use it if it isn't safe. Pat submitted all of the information to the insurance company to get reimbursed for the plow that was wrecked this winter. After going back and forth with the insurance they will be covering the full cost of a new plow minus the \$500.00 deductible. He would like to purchase a trailer to transport the Lawn Mower and also culvert pipes. He is requesting a tilt bed allowing better hauling. He did receive three quotes on the trailers and this was the best deal for the price and quality.

Resolution 2022-104: Councilmember Gosier made the motion to properly dispose of the old playground equipment from Lyme Central School at Pat Weston's Discretion; Councilmember Villa seconded the motion; all were in favor; motion carried.

Resolution 2022-105: Councilmember Villa made the motion for Pat Weston to purchase the 2022 Triton Trailer model TILT1282 for \$4,539.95; Councilmember Farrell seconded the motion; all were in favor; motion carried.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$6,606.75; Total State County & Local Revenues: \$6,687.25 Total Non – Local Revenues: \$80.50

Audit of the Bills (Abstracts #13 & #14)

Resolution 2022-106: Councilmember Gosier made the motion to approve Abstract #13 in the amount of \$0.00; seconded by Councilmember Villa; all were in favor and the motion was carried.

Resolution 2022-107: Councilmember Gosier made the motion to approve Abstract #14 in the amount of \$88,366.25; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2022-108: Councilmember Gosier made a motion to approve June 8, 2022; seconded by Councilmember Farrell; Gosier, Countryman, Farrell, Bourquin AYE; Villa ABSTAINED and the motion was carried.

Committee Reports

Assessor's Report:

Final Assessment Roll The 2022

Final Assessment Roll is now complete and available to view in our office as well as the Town of Lyme website. Total Assessment 2021- \$427,638,107 Total Assessment 2022- \$442,354,603 Increase: \$14,716,496 there are currently 3,397 parcels in the Town of Lyme.

Computer Updates

I recently took my computer into Real Property for an update to the RPS System. Maintenance-Carol is getting the yellow property cards together to prepare for field collecting data for the 2023 Assessment Roll.

Training

I have completed the Fundamentals of Assessment class and test as well as the Assessor Orientation class and RPS basic training at Real Property. The next training classes scheduled are on Ethics and then the Cost, Market and Income Approach to Value training and test.

Municipal Water Board Report:

Supervisor Countryman read McKenzie Lehman's email updates:

Veterans Memorial Park REDI Project

Updates

- Agreements have been signed, and Notices to Proceed have been issued.
- Construction is anticipated to begin mid-August.
- Everything has been submitted to DASNY for them to complete the Grant Disbursement Agreement.

Action Item

- Schedule a date for the ground-breaking ceremony. AUGUST 3rd at 2:00

Three Mile Bay Tank Repainting

Updates

- Inspection has been completed. We are expecting a tank report soon, which will summarize the condition of the tank interior.

- Contractor is waiting on the curtain top section to finish containment on the tank. Once containment is complete (early next week), they can start blasting. With the delay in obtaining the containment materials, the original schedule may be pushed back up to a week for completion in mid-August, but the contractor still anticipates completing the project within the original schedule at the beginning of August.

Point Salubrious Water Study

Updates

- Funding scenarios are being finalized.

Planning Board:

There was no Planning Board Minutes.

Youth Commission:

The July meeting was cancelled. Summer Rec. program has started.

Zoning Board of Appeals (ZBA):

There was no report.

ZEO/CEO Report:

There were no comments or questions on the ZEO/CEO report. Supervisor Countryman stated ZEO Richard Ingerson is working on two or three special projects.

TMB Cemetery:

Supervisor Countryman opened the bids for the Three Mile Bay Cemetery foundation repairs.

Three Mile Bay Cemetery Bids

On Point Excavation & Consulting, LLC- \$18,800.00

Lennox Land Clearing- \$11,500.00

Wilson Monument Co. Inc. - \$3,085.00

Resolution 2022-109: Deputy Supervisor Bourquin made the motion to accept Wilson Monument Co. Inc. bid in the amount of \$3,085.00 to repair four foundations at the Three Mile Bay Cemetery; seconded by Councilmember Villa; all were in favor and the motion was carried.

Cape Vincent Ambulance:

There was no report.

Old Business:

Appoint Cleaning Position:

Deputy Supervisor Bourquin suggested hiring Elizabeth Yurack because she has been a Town resident longer than the other applicant.

Resolution 2022-110: Deputy Supervisor Bourquin made the motion to appoint Elizabeth Yurack for the Town of Lyme Office Cleaning Position; seconded by Councilmember Villa; all were in favor and the motion was carried.

Final Order of the Board Sally Port Resolution:

Supervisor Countryman read the Final Order of the Town Board of the Town of Lyme Extending Water District No. 2:

At a regular meeting of the Town Board of the Town of Lyme, Jefferson County, New York, duly held on the 13th day of July, 2022:

Present:

Terry Countryman, Supervisor
Donald R. Bourquin, Councilmember
Julia E. Gosier, Councilmember
Tim Farrell, Councilmember
Daniel J. Villa, Councilmember

Absent: N/A

WHEREAS, at a regular meeting of this Board held at the Town offices on the 28th day of April 2021, an Order of this Board was duly adopted and entered in the minutes of the proceedings reciting in general terms the filing with the Town Clerk of the Town of Lyme of a map, plan and report prepared by BCA Architects & Engineers (“BCA”), for the extension of Water District No. 2, within the Town of Lyme, reciting the boundaries of the proposed District Extension, the improvements proposed, the maximum amount proposed to be expended for the improvements, the proposed method of financing, and specifying that a public hearing shall be held to hear all persons interested in the proposed extension of Water District No. 2 at 3:00 p.m. on May 18, 2022; and

WHEREAS a copy of the Order of this Board was duly and regularly published in the official newspaper of the Town of Lyme and certified copies thereof were posted on the official sign board of the Town of Lyme as required by Article 12-A of the Town Law; and

WHEREAS, the May 3, 2022, notice of public hearing was duly published and posted pursuant to the provisions of Section 209-e of the Town Law, and on May 18, 2022, a public hearing was held to hear all persons interested in the boundaries of the expanded Water District No. 2; and

WHEREAS, following the public hearing on May 18, 2022, and due deliberation having been given by this Board to the hearing, the testimony, and the allegations presented, this Board adopted a Resolution making the findings required under Article 12-A of the Town Law and approved the formation of the NYS Route 12 Water District pursuant to the aforesaid map, plan, and report: and

WHEREAS, within ten (10) days following the adoption of the aforesaid Resolution the full text of the Resolution together with a notice setting forth the date of the adoption thereof and the fact

that the resolution was adopted subject to a permissive referendum which was published in the official newspaper of the Town of Lyme and posted as required by law; and

WHEREAS, more than thirty (30) days have elapsed since the adoption of the Resolution, and no petition protesting the Resolution has been properly submitted to the Town Clerk of the Town of Lyme, and the Town Clerk has caused to be filed pursuant to Section 209-e (4) (a) of the Town Law a certificate certifying that no petition was filed required a referendum; and

WHEREAS the permission of the State Comptroller is not required pursuant to Section 209-f of the Town Law.

NOW, on motion duly made and seconded, this Board makes the following determinations:

1. ORDERED that the foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. ORDERED that the formation of the Town of Lyme Extension of Water District No. 2 as described in the map, plan and report prepared by BCA Architects & Engineers, is finally established with the boundaries thereof as described on the attached Schedule "A", which is made a part hereof, and the providing of the services as described in the Report is hereby authorized, and it is further
3. ORDERED that the Town Clerk of the Town of Lyme shall cause a certified copy of this Final Order of the Town Board to be duly recorded in the Office of the Clerk of the County of Jefferson, within ten (10) days after its adoption, and to file a certified copy thereof with the Department of Audit and Control within ten (10) days following its adoption.

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

Terry Countryman, Supervisor	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Donald Bourquin	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Julia Gosier	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Timothy Farrell	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>
Daniel Villa	yes <input checked="" type="checkbox"/>	no <input type="checkbox"/>

Resolution 2022-111: Councilmember Villa made the motion to adopt the Final Order of the Town Board of the Town of Lyme Water District Extension No.2; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Zoning Board Analysis:

Supervisor Countryman updated the Board on the recent issue with two campers being on one property at the last ZBA meeting. The ZBA would like the Board to revisit the RV section of the Zoning Law. Barton and Loguidice have suggested action steps we can take to revise our law.

Deputy Supervisor Bourquin voiced his concerns regarding the money we have spent having Barton and Loguidice analyze our law but we haven't gained many results. There was a discussion on using Jefferson County Planning to update our Zoning Law. Councilmember Villa stated he believes the biggest issue is that our RV law is not being enforced. There was further discussion on how the zoning laws could be improved and changed.

Contracts for Municipal and Highway Buildings:

Supervisor Countryman received the New Building and Highway Garage contract from Clerk Henderson to apply for USDA funding. The Board agreed that the contracts should be reviewed by the Town Attorney before submitting them to the USDA.

New Business:

Appoint Water Billing Clerk:

Deputy Supervisor Bourquin recommended Clerk Henderson and Deputy Clerk VanAlstyne to fill the Water Billing Clerk position. They have been working on the billing for a year and there is a lot more work to the billing than putting stamps on postcards.

Resolution 2022-112: Deputy Supervisor Bourquin made the motion to appoint Clerk Ariana Henderson and Deputy Clerk Tara VanAlstyne as Water Billing Clerk; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Appoint Water Board Member:

Supervisor Countryman stated there are no applicants.

Appoint Water Board Chairperson:

Supervisor Countryman stated that Kathy Dyer may be willing to fill the vacant position but he would like to wait. The Water Board is hesitant to take on all of the responsibilities that Marsha fulfilled.

Appoint Assessor and Assessor Chairperson:

Supervisor Countryman said he spoke with the assessors and the workload is not heavy currently. He believes both the assessor and assessor chairman appointment can also wait.

Contracts for Municipal Building and Highway Garage:

Supervisor Countryman received the contracts to be signed from Clerk Henderson.

Town of Lyme Surplus Property:

Supervisor Countryman stated that the assessors were approached by Holly and Kevin Swingle who recently purchased property on Montanna Shores about a small piece of property the Town owns. Each slice of land is assessed for \$300.00. He sent the Town Board the law on how we can handle eliminating surplus properties. The Town will need to research this further.

Veteran’s Memorial Park Ground Breaking Date:

AES Solar requested a letter to stop the tariff bill in congress to stop solar parts. The Board did not make a motion to write a letter to support AES.

Online Privilege of the Floor

Jennifer Kingsley: Ms. Kingsley asked if the Town had made any decisions regarding the open Supreme Court case regarding her father, Bruce Kingsley. Supervisor Countryman stated that everything is still in litigation. Ms. Kingsley stated that she wanted to settle the case outside of Court. Supervisor Countryman’s thought is he is willing to look at all the information if the board agreed. He is willing to meet with her to assess the collected data she presents after he discusses the case with our Town Assessors.

Privilege of the Floor

There was no privilege of the floor.

Executive Session

Resolution 2022-113: Supervisor Countryman made the motion to enter Executive Session at 9:05 p.m.; seconded by Councilmember Villa; all were in favor and the motion was carried.

Return to Open Meeting

Resolution 2022-114: Councilmember Gosier made the motion to enter Open Meeting at 9:40 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Adjournment

Resolution 2022-115: Councilmember Villa a made the motion to adjourn; seconded by Councilmember Gosier; all were in favor and the motion was carried; meeting was adjourned at 9:41 p.m.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk