

**Town of Lyme
April 14, 2010
Regular Monthly Meeting
6:30 P.M.**

Supervisor Aubertine opened tonight's meeting with a Prayer and the Pledge of Allegiance at 6:30 p.m.

Supervisor's Report

RESOLUTION 2010 – 37: Motion by Councilman Countryman and seconded by Councilman Johnson approving the March 2010 Supervisor's Report as submitted by Bookkeeper Tom Bowie. Five ayes. Motion carried.

Fourth Coast

RESOLUTION 2010 – 38: Motion by Councilman Harris and seconded by Councilman Bourquin approving a pre approval application to Rural Development regarding Brownsfields and LWRP Grants for not more than \$1,500.00. Five ayes. Motion carried.

Bid Opening – Abandoned Cemeteries and Ball Fields

The following bids were submitted to the Town of Lyme for the mowing of the Town's abandoned cemeteries and the ball fields as follows:

Larry Jensen – Po Box 237, Depauville	\$22,500.00
William Fulmer – 12148 Stone Street, Chaumont	17,250.00
Clement's Lawn Care – 35111 Jackson II Road, Carthage	14,500.00
Sno-Tech Landscaping and Snow Removal – Watertown	13,957.00

RESOLUTION 2010 – 39: Motion by Councilman Countryman and seconded by Councilman Bourquin accepting the bid for the Town of Lyme's Abandoned Cemeteries and Ball Fields for the 2010 mowing season submitted by Clement's Lawn Care 35111 Jackson II Road, Carthage, New York as follows:

Six (6) Abandoned Cemeteries, Five (5) NYS Route 12E Ball Fields (1) Morris Tract Ball Field and Grounds.

Lawn Care Maintenance Bid Contract Quote: \$14,500.00/2010 Season

This contract is an agreement between Clement's Lawn Care, hereinafter referred to as the contractor, and the Town of Lyme, hereinafter referred to as the client. Contractor and client hereby promise and agree to the following: The contractor agrees to provide services detailed in the following specifications per listing in the Watertown Daily Times, on behalf of the Town of Lyme. Personally submitted by John D. Clement owner/operator of Clement's Lawn Care, prior to deadline, COB on April 14, 2010, for service dates May 1, 2010 through September 15, 2010.

Part I. Lawn Maintenance Consideration For Cemeteries

- A. Mowing, Edging, and Trimming for (6) six abandoned cemeteries: All turf areas shall be cleaned up and mowed prior to Memorial Day 2010, then once every (2) two weeks thereafter, until September 15, 2010. mowing shall be with (reel/rotary/mulching) mowers. Mowers blades will be sharp at all times to provide a quality cut. Mowing height will be according to grass type and variety. Clippings will be left on the lawn as long as no readily visible clumps remain on the grass surface 36 hours after mowing. Otherwise, large clumps of clippings will be disturbed by mechanical blowing or collected and removed by the contractor.***

Trees, fences, driveways, and other surfaced areas bordered by grass will be edged every mowing. Contractor will clean clippings from curbs and roadways immediately after mowing or edging.

- B. Pruning: Trees will be pruned with clippers and/or chainsaws twice per season, as needed to provide and informal shape, fullness and bloom. This will be done as part of the Spring and Fall clean-up. Pruning paint will not be applied. Sucker growth will be removed by hand from base of trees, so not to damage bark. No herbicides will be used for this purpose.***

Part II. Lawn Maintenance Consideration For Ball fields

- A. Mowing, Edging and Trimming for Five (5) NYS Route 12E Ball Fields and one (1) Morris Tract Ball Field and Grounds: All turf areas shall be cleaned up and mowed and trimmed twice weekly.***

Mondays and Wednesdays, starting May 1, 2010 – August 1, 2010, then once a week thereafter, until September 15, 2010. Mowing shall be with (reel/rotary/mulching) mowers. Mowers blades will be sharp at all times to provide a quality cut. Mowing height will be according to grass type and variety. Clippings will be left on the lawn as long as no readily visible clumps remain on the grass surface 36 hours after mowing. Otherwise, large clumps of clippings will be disturbed by mechanical blowing or collected and removed by the contractor.

Trees, fences, driveways and other surfaced areas bordered by grass will be edged every mowing. Contractor will clean all clippings from curbs and roadways immediately after mowing and/or edging.

**Note: Ball Fields will be mowed on Mondays and Wednesdays, weather permitting. If a day has to be rescheduled due to weather conditions, the day will change for that seven-day period. Mowing schedule will then return to Monday and Wednesday the following week.*

Part III. Consideration for Insurance, Licenses, Permits and Liability.

The contractor will carry liability amounts required by law on his operators and employees, and may provide proof of the same to client. The contractor is also responsible for obtaining any license and/or permits required by law for activities on client's property. Proof of required insurance provided by contractor.

**Note: Contractor's insurance policy renewal is being implemented May 6, 2010 at 12:02 a.m. Standard Time, to ensure seamless coverage.*

Situations which the Contractor may deem are his responsibility:

- Any damage due to operation of his equipment in performing the contract.*

Situations which the Contractor may deem are not his responsibility:

- Any damage due to vandalism*
- Any damage due to natural disasters, weather related damage*

Job detail submitted by John D. Clement, owner/operator

Five ayes and the Motion was carried.

Clerk's Report

Total State, County and Local Revenues:	\$8,068.79
Total Local Shares Remitted:	7,855.97

Highway Superintendent

RESOLUTON 2010 – 40: *Motion by Councilman Johnson and seconded by Councilman Countryman approving the 2010 summer work schedule submitted by Highway Superintendent Pat Weston. Five ayes. Motion carried.*

Audit of Bills

RESOLUTION 2010 – 41: *Motion by Councilman Johnson and seconded by Councilman Countryman approving Abstract #7 in the amount of \$120,114.31. Five ayes. Motion carried.*

RESOLUTION 2010 – 42: *Motion by Councilman Johnson and seconded by Councilman Countryman removing Voucher number 185 in the amount of \$1,278.12 and Voucher number 186 in the amount of \$1,383.46, each payable to the New York State Department of Labor, Unemployment Insurance Division due to the lack of an invoice. Abstract #8 will be approved for the amount of \$93,267.78. Five ayes. Motion carried.*

*A Motion was made by Supervisor Aubertine and seconded by Councilman Countryman **TABLING** the March 10, 2010 Regular Monthly Meeting Minutes, allowing the Town Board ample time to review the minutes in their entirety. In the absence of Clerk Wallace, the minutes were not distributed to the Town Board members prior to tonight's meeting.*

Department Reports

Assessor's Report – Marsha Barton

2010 Assessment Increase: The Assessors have not received the Tentative Assessment Roll as of yet. An estimate of the increase to the tax base at this time is \$1,807,400.00.

Equalization Rate: The Town of Lyme's Tentative Equalization Rate for 2010 will be 31%.

Jefferson County Web Site: Jefferson County had updated their web site. One of the major changes that will effect the Town Assessor's Office is that deeds will no longer be provided to them in paper form. The deeds will all be available on the web site and can be downloaded.

Municipal Water Board Report – Marsha Barton

DANC Rate Increase: The allocations for the Town of Lyme will remain at 85,000 gallons per day. There is a possibility that the Town will be able to reduce this amount in time for DANC's annual budget next year, if the Town decides it is in the best interest of the Town. The increase will be \$17.99 from \$14.54 to \$32.53. As Marsha has previously reported, the water rate was reduced from \$3.64 to \$2.55. Customers will be affected differently, depending on their water usage. Most will see an increase of \$7.09 - \$15.81 bi-monthly. Marsha is preparing a mailing to send to all customers informing them of the increase before it takes effect with the May billing.

Water District #5: The contractor has started restoration and is hooking up the seasonal customers. Bernier and Carr will be informing us of how much money is left over after they know the final cost from the contractor following restoration. They are hoping for enough money to complete the loop from Water District #4 on Cheever Road to the Old Town Springs Road. Rural Development would have to approve the use of the money. Steve Hall has asked to be hooked up to the water line. He would like to work out something with the Town, possibly in exchange for some work. Mr. Hall has already built one house and will be constructing five more. The extension may be possible if he would commit to 6 EDU's. The Town

will be discussing this subject more with Mr. Hall once the amount of money left over is determined.

Water District #2 Extension – Swamp Road – NYS Route 12E: The residents in this area are interested in submitting another petition. They have one more house than when they submitted their previous petition. Bernier and Carr will be looking at the old study and also looking into the possibility of including Bourcy Shores in the study. This is not an official study, just informally looking into the possibility.

Water Facility Profit From 2009: The Water Board is requesting a Resolution allowing them to transfer \$7,303.00 from the General Fund to the Water Reserve Fund. The Water Facility had revenue of \$9,246.00 in 2009 and an expense of 41,943.00. Marsha is having a difficult time getting year-end figures from the accountant's office to be able to determine how each water district ended the year, so they are requesting a transfer at this time.

Painting of the Three Mile Bay Water Tower: The Water Board is requesting that the Town Board pass a Resolution to advertise for bids for painting the tower.

Three Mile Bay Cemetery Report – Julia Gosier

Julie has sold a two-grave lot for \$500.00 and received an advance payment for a May interment totaling \$850.00. Two more graves have also been reserved for a purchase.

Julie has assisted an individual with arranging an individual to have a base poured for a new monument.

It is imperative to address the repairs that need to be made to the vault.

Planning Board Report – Paul Norton

Paul indicated that the Comprehensive Plan is reaching completion. Paul has requested that the Town Board wait before making any final decisions on the Town Zoning Laws until the Comprehensive Plan has been finalized. It is the intent that the Comprehensive Plan will help give some direction as to the content of the updated laws.

RESOLUTION 2010 – 43: Motion by Councilman Johnson and seconded by Councilman Countryman approving a Work Session of the Town Board on Wednesday April 28, 2010 from 6:30 – 8:30 p.m. at the Three Mile Bay Fire Department addressing necessary alterations to the Wind Law. The Work session will be advertised in the Watertown Daily Times. Five ayes. Motion carried.

A letter of Resignation has been submitted to the Planning Board by Secretary Jo Morrow stating that her final day will be May 10, 2010.

RESOLUTION 2010 – 44: Motion by Councilman Harris and seconded by Councilman Johnson accepting, with regrets, the resignation of Jo Morrow as the Planning Board Secretary, as of May 10, 2010. An advertisement for the position will be placed in the Watertown Daily Times. Five ayes. Motion carried.

March 2010 Police Report submitted in writing by Police Chief Leo Wilson.

Zoning Enforcement Officer – March 2010 Written Report by Jim Millington:

		Issued	Denied	Pending
March 2010:	Zoning Permit Applications	5	4	
	Demolition Permits	1		
	Zoning Board of Appeals			4
	Complaints	2		
	Site Visits	11		
	Investigations	3		
	Letters/Correspondence	1		
	Permits Issued	5		
Other Actions:	New York Land Quest Development Project			
	Galloo Island Corp Dredging			
	Referral Illegal Road Sign			

St. Lawrence Wind Farm

At St. Lawrence Windpower, they are aware that wind development has been a topic of conversation among community members since wind

turbines were proposed within the Township of Cape Vincent. In the three plus years their office has been in the Village of Cape Vincent , they have been available to answer questions and hear concerns. During this time environmental permitting documents have been made available in their office, on the website and in public locations throughout the Townships of Cape Vincent and Lyme.

St. Lawrence Wind is continually exploring ways to engage the community in constructive discussion about wind development. They are currently in the process of coordinating their first Community Relations Group (CRG). The aim of the CRG is to provide a forum for sharing differing viewpoints and providing opportunities for feedback in relation to the proposed St. Lawrence Wind Project. Since we seek a full spectrum of community interests to participate in this 10-15 member group, they are in hopes of a representative from the Town to join them.

The members of this group will be encouraged to provide input in determining the agenda, format and ground rules of the meeting. St. Lawrence Windpower representatives will act as hosts for the CRG meetings. Richard LeClerc, the president of Jefferson Community College's Center for Community Studies, has been asked to be the CRG's independent moderator. At the first meeting of the CRG, Mr. LeClerc will facilitate a discussion in which group members provide input on the desired parameters of the forum. CRG members will also be asked their input on the scheduling of at least five more meetings. Meetings will be approximately two hours long, and for the first few meetings, members will meet monthly. They hope to schedule the first meeting for the last week of April.

The primary aim of the CRG is safe, open and respectful discussion. The CRG's independent moderator will enforce the respectful dialogue between group members and the acceptance of differing views. The first meeting will be in the St. Lawrence Wind Farm office. To facilitate a comfortable atmosphere for dialogue, each CRG meeting will be "closed" to the media and public. The minutes of each meeting, once approved by all participants, will be made available to the public.

For more information you may contact Bryan Stumpf at 315-654-2210 or email can be sent to info@stlawrencewind.com.

RESOLUTION 2010 – 45: Motion by Councilman Countryman and seconded by Councilman Johnson to have Councilman Bourquin attend the St. Lawrence Wind Farm Meeting set for the last weekend in April. Four ayes. Motion carried. Councilman Bourquin abstained from the vote.

RESOLUTION 2010 – 46: Motion by Councilman Countryman and seconded by Councilman Johnson authorizing Supervisor Aubertine to sign the DANC Water Purchase Agreement. Five ayes. Motion carried.

RESOLUTION 2010 – 47: Motion by Councilman Countryman and seconded by Councilman Johnson establishing a fee of \$200.00 (two hundred dollars) for a Mobile Seasonal Residency Permit. Five ayes. Motion carried.

Correspondence

North Country Affordable Housing, Inc. is requesting a letter of support for the NYS Affordable Housing grant application. The application is funding for the Mobile Home Replacement Program. These funds will be used to replace dilapidated mobile and manufactured homes in Jefferson and St. Lawrence Counties with new HUD certified, ENERGY STAR Qualified manufactured homes.

In Jefferson and St. Lawrence Counties, there are 14,023 mobile homes, yet there are currently no programs that provide mobile home replacement for the residents who are in the most urgent need. For this program, North Country Affordable Housing would be targeting residents of Jefferson and St. Lawrence Counties who live 50 percent below the area median income level.

Each unit will be eligible for up to \$40,000.00. The funding from the Affordable housing Corporation will provide the homeowner with a safe, energy efficient home that is appropriate for their family size. All applicants will be required to have their replacement mobile home as their primary residence on their own land.

RESOLUTION 2010 – 48: Motion by Councilman Bourquin and seconded by Councilman Harris authorizing a letter of support for the

New York State Affordable Housing Corporation Mobile Home Replacement Grant Application. Five ayes. Motion carried.

NYS Officer of the Comptroller – Improvements Needed in Municipal Ethics Laws: Thomas P. DiNapoli proposes Legislation and has provided a model “Code of Ethics” Guide to Local Officials proposing legislation to strengthen municipal ethics laws after an audit identified widespread differences in how local governments around the state oversee financial disclosure rules and enforce other ethics requirements. A model code of ethics has been provided to help officials understand ethics and conflict of interest requirements.

Wind Letters submitted by the following:

Frank Amelie
Judy Saiff Sherman
John Sennett
Scott Discount and Seann Coffee
Norm Ahlheim
Jim and Sandy Branski
Rob Aliasso
Murial Barkley
Thomas Grant
Gary Brass
Deanne Scanlo
Charles P. Sidwa
Sandie Cornell-Douglas
Joel Block and Judith McGaughey
Suzanne and David Seiffert
Stephen and Diane Rutigliano
Pim and Pandy Goodbody
Albert H. Bowers III
Amanda Miller
Charles Wilson
Patricia and Edward Hughes
Joy Borowicz
Janice Comins
Kevin and Terry Novak
Henry Washburn

The individuals listed above have submitted correspondence that will be added in its entirety, as attachments to the April 14, 2010 Meeting Minutes.

Joe Welch – Written correspondence and pictures regarding the condition of the State Boat Launch and his concerns regarding the water levels in Lake Ontario.

Chris David – D/B/A – Chrissy’s Diner – Regarding the notice of Violations concerning the flashing sign at the diner. This information is to be directed to ZEO Jim Millington.

RESOLUTION 2010 – 49: Motion by Councilman Countryman and seconded by Councilman Bourquin supporting the “National Grid Energy Savings Plan” submitted by the energy auditor, Jack Cornell. The Town Board is agreeing to pay the lump sum payments of \$559.50 for the cost contribution for the Municipal Building and \$411.52 for the cost contribution for the Highway Garage. Hence, the Town can proceed with the energy efficiency improvements recommended by Mr. Cornell. Five ayes. Motion carried.

RESOLUTION 2010 –50: Motion by Councilman Bourquin and seconded by Councilman Harris approving the request from Lyme Central School for the use of the Morris Track Ball Field for the Spring season of 2010. Five ayes. Motion carried.

Three Mile Bay Cemetery – REMOVED FROM TABLING –Vault Roof Repair - No Motion necessary, Highway Superintendent, Pat Weston will price materials to see if it will be worth while to have the Town make the necessary repairs. Three or more Town Board members will have to be contacted as to the final decision and the direction of proceeding.

A Motion by Councilman Countryman and seconded by Councilman Johnson was made at 10:02 p.m. to move into Executive Session to discuss personnel matters and Teamsters Negotiations. Five ayes. Motion carried.

A Motion was made by Councilman Countryman and seconded by Councilman Harris to move back into Open Session at 11:00 p.m.

Councilman Countryman made a Motion to adjourn tonight's meeting at 11:05 p.m.

Tonight's Meeting Minutes are respectfully submitted by Town Clerk Kim Wallace, who was not present at this meeting. The information contained herein, has been compiled from the notes taken by Chris Johnston, acting as the Clerk for tonight's meeting and data contained in the recording done by Steve Weed Productions.

Respectfully submitted by,

Kim Wallace
Town of Lyme Clerk
Kim Wallace