

Town of Lyme
December 12, 2014
Regular Monthly Meeting
6:30 P.M.

Deputy Supervisor Donald Bourquin opened tonight's meeting with a moment of silence in place of a Prayer; due to Clerk Wallace's absence and the Pledge of Allegiance.

Present at tonight's meeting: Deputy Supervisor Donnie Bourquin, Councilwoman Harris, Councilmen Villa and Henderson, Clerk to Supervisor Robin Grovesteen, Assessor Roz Gotham, ZEO/CEO Jim Millington, Newly Appointed District #2 County Legislator William (Bill) Johnson and 2 others.

Supervisor's Report – November 2014

RESOLUTION 2014 – 137: Motion by Councilman Henderson and seconded by Councilman Villa approving the November 2014 Supervisor's Report as submitted by Town Accountant Cathy Satterley. Four ayes. Motion carried.

Introduction and Welcoming of Bill Johnson – Jefferson County Board of Legislators, District 2, filling the position of Bob Thomas. Councilman Bourquin shared some of Legislator Johnson's credentials, such as serving as the Supervisor for the Town of Lorraine for a period of 10 years and also serving for five years on the Jefferson County Board of Supervisors.

Councilman Villa and Councilwoman Harris gave a brief update as to the events and efforts that have taken place over the past 4 years between the County and Town concerning the Wilson Property. The Town Board feels that the property could be an integral part of the community for several reasons and is interested in pursuing the purchase of the property. Unfortunately, it seems the County has changed their thought process and they are interested in generating as much monetarily as possible if the property were to be sold out-right.

Councilman Villa also expressed his concerns with the County Chargebacks; in particular, Dog Control. The Town's portion in 2015 is over \$13,000.00, based on the number of dog licenses the Town issues each year. This amount is a

\$7,000.00 increase over 2014. He feels that the Town is being penalized for keeping good records.

Privilege of the Floor

Mickey and Chasity Reff – Mickey’s Collision and Automotive, Burnt Rock Road Cape Vincent. Would like to voice their opinions on a zoning issue regarding Wanda Way and Shaun McCarthy with a business located just outside of Chaumont on Route 12E. The Reffs filed a formal complaint with CEO/ZEO Millington. They wanted to know if this business is commercially zoned and has it been approved.

Mr. Millington responded and stated that they were not zoned or approved for the business and he was going to speak with Way and McCarthy regarding this situation, which he has done.

Mrs. Reff stated that the evidence is overwhelming that a business is being operated out of the NYS Route 12E address and it is having an effect on the Reff’s automotive business. The Reff’s feel that nothing is being enforced.

Mr. Millington has been to the 12E property on more than one occasion and has not found more than one unlicensed vehicle on the premises or any indication that there is a repair business currently being operated.

Way and McCarthy are going through all the proper channels where the Town is concerned. The ZBA will be hearing the case and will have a determination after that.

The Reffs feel they are not being taken seriously; they are trying to safeguard their business. They appearing in front of the Board tonight to speak their peace and move on.

Clerk’s Report – November 2014

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| Total State, County and Local Revenues: | \$3,993.20 |
| Total Local Shares Remitted: | \$3,784.76 |

Audit of the Bills

RESOLUTION 2014 – 138: Motion by Councilman Villa and seconded by Councilman Henderson approving Abstract #23 in the amount of \$31,046.44. Four ayes. Motion carried.

RESOLUTION 2014 – 139: Motion by Councilman Villa and seconded by Councilwoman Harris approving Abstract #24 in the amount of \$71,527.05. Four ayes. Motion carried.

RESOLUTION 2014 – 140: Motion by Councilwoman Harris and seconded by Councilman Henderson approving the Minutes of the November 12, 2014 Regular Monthly Meeting of the Town Board. Four ayes. Motion carried.

Committee Reports

Municipal Water Board Report – Written Report Marsha Barton

Billing Submitted to DANC – An invoice has been submitted to DANC for Bill Scarpocchi's wages for work performed on the main valve break on the Old Town Springs Road on November 4th. The valve was broken by DANC. A bill was submitted in the amount of \$220.16. Billy was paid at the time and half rate because it was a holiday, per the Union Contract. The Village also submitted a bill for one of their employees who was called in to work concerning the same incident. The Town has not billed DANC in the past so we are unsure if they will reimburse.

Utility Services – Roger Linder attended the December 3rd Water Board Meeting to bring preliminary figures for repairs and maintenance to the Three Mile Bay Water Tower. Figures were mistakenly figured on 700 customers. They will be forwarding the corrected information.

Lance Development Update – Gregor Smith is preparing the necessary paperwork that is needed for the parcel to be included in Water District #2.

Planning Board Report – The Town Board TABLED any decision regarding the Planning Board Proposal; they feel it needs further discussion and Supervisor Aubertine has questions he would like answered before moving forward.

ZEO/CEO Report

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| Building /Zoning Permits Issued: | 8 |
| Certificates of Occupancy Issued: | 1 |
| ZBA Referrals: | 2 |
| Site Visits and Inspections: | 6 |
| Complaints: | 1 |
| Investigations: | 1 |

Permits Issued For:

| | |
|------------------|---|
| Home or Cottage: | 1 |
| Garage/ Barn: | 1 |
| Deck or Porch: | 2 |
| Addition: | 2 |

New Business

Joint Services Committee – Councilman Villa stated that we need more information regarding this committee; we’ll have a representative when needed.

Lyme Central School and Town of Lyme Cooperation Agreement

RESOLUTION 2014 – 141: Motion by Councilman Villa and seconded by Councilwoman Harris approving the renewal of the 2015 Cooperation Agreement between the Town of Lyme and Lyme Central School. A full text of the Agreement is provided in Addendum A-12-10-14. Four ayes. Motion carried.

RESOLUTION 2014 – 142: Motion by Councilwoman Harris and seconded by Councilman Henderson approving the Contract of Shared Services between the Village of Chaumont and the Town of Lyme. This Contract addresses the renting and leasing of Highway machinery and equipment; exchanging and borrowing equipment; and borrowing or lending of materials, supplies and employees. A

full text of the contract is provided in Addendum B-12-10-14. Four ayes. Motion carried.

Town and Village Inter Municipal Agreement

Councilman Villa would like to have some questions addressed prior to approving the Inter Municipal Agreement. He does not feel that we should proceed until we find out where things stand. It is not in the best interest of the residents of the Town of Lyme to cover the expenses of the Village. As far as Councilman Villa is concerned the agreement is not valid if it is not being upheld.

Item #3 - Is the Village current on their annual payment of \$1,200.00?

Item #6 - Has the Village made payments to the Town for the costs associated with the copier as defined in the Agreement?

Schedule Public Hearing for Water Rates

RESOLUTION 2014 – 143: Motion by Councilman Villa and seconded by Councilman Henderson scheduling a Public Hearing for the proposed 2015 Water Rates, January 14, 2015 at 6:25 p.m. to be held at the Municipal Offices located at 12175 NYS Route 12E, Chaumont, NY. Four ayes. Motion carried.

Appointment of Karen Fitzgerald as Deputy Tax Collector

In a letter received from Tax Collector Paula Radley addressed to Supervisor Aubertine, dated December 7, 2014 she stated the following:

“I would like to notify you and the Board of my decision to appoint Karen Fitzgerald as the Deputy Tax Collector pursuant to Section 35 of Town Law. She already collected the Village taxes, which has given her experience and knowledge to fill this position. She works with the same BAS software system provided by Jefferson County. I will try and assistance Karen ion any way possible to make this a successful smooth transition.

At this time I would like to request that Karen Fitzgerald receive the full appropriation amount for the tax collector. I believe this is the only fair compensation for the work involved with the tax collection.

***Sincerely
Paula L. Borden"***

Councilman Villa read further in Town Law Paragraph 35; Section 35, that the Tax Collector may appoint a deputy, although the Town Board is not obligated to pay the deputy unless special arrangements are made.

The Tax collector no longer lives in the Town and her residency is not being met; she has not resigned either. Councilman Villa's concern is whether or not the position has been abandoned. He is not sure it is good business sense to have the Village Tax Collector also be the Town Tax Collector.

The decision will be TABLED at tonight's meeting although the appointment is considered to be official.

A Motion was offered by Councilman Villa and seconded by Councilwoman Harris moving the Town Board into Executive Session at 7:47 p.m. to discuss a personnel matter, a litigation issue, retiree medical information, reval litigation matter. Four ayes. Motion carried.

A Motion was made by Councilman Villa and seconded by Councilwoman Harris moving the Town Board back into open session at 9:05 p.m.

RESOLUTION 2014 – 144: Motion by Councilman Villa and seconded by Councilwoman Harris accepting the changes in Judith Prices Health Insurance, having the coverage canceled with the New York State Teamsters Health and Hospital Fund in the amount of \$1,212.52 and replaced with a new policy provided by Excellus Blue Cross / Blue Shield in the amount of \$710.54. On December 1, 2014 James and Judy Price met with Deputy Supervisor Donald Bourquin, Dennis Baeslack, Insurance Representative from the Greater Watertown Chamber of Commerce and Clerk to Supervisor, Robin Grovsteen to review the proposed policy and agreeing to the changes, making the Blue Cross / Blue Shield Policy and coverage effective January 1, 2015. Four ayes. Motion carried.

A Motion was offered by Councilwoman Harris and seconded by Councilman Bourquin adjourning tonight's meeting at 9:06 p.m. Four ayes. Motion carried.

The minutes of tonight's meeting are respectfully submitted by,

*Kim Wallace,
Town of Lyme, Town Clerk*