

**Town of Lyme  
December 15, 2016  
Regular Monthly Meeting of the Town Board  
1:00 P.M.**

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

Last night's Regular Monthly Meeting was canceled due to a severe winter storm; it was decided to be rescheduled for today.

Present at today's meeting: Deputy Supervisor Bourquin, Councilwomen Gosier and Harris, Councilman Villa, Assessor Chairwoman Marsha Barton, County Legislator Bill Johnson, Highway Superintendent Pat Weston and approximately 3 others.

**Privilege of the Floor**

**William Johnson – Jefferson County Legislator**

The County has passed their 2017 Annual Budget and it has been adopted, Roxanne Burns will be the new director of Real Property and the runway extension at the airport has been completed.

**Officer's Reports**

**Supervisor's Report – November 2016**

***RESOLUTION 2016 – 165: Motion by Councilwoman Harris and seconded by Councilman Villa approving the November 2016 Supervisor's Report and the Budget Transfers as recommended by Town Accountant Cathy Satterley as follows:***

<b>General Fund A:</b>		<b>Increase</b>	<b>Decrease</b>
<b>1110.4</b>	<b>Justices – CE</b>	<b>675.00</b>	
<b>1355.1.37</b>	<b>Assessors- PS – Secretary</b>	<b>500.00</b>	
<b>1972.4</b>	<b>Payments to County Treasurer</b>	<b>2,100.00</b>	

<b>7140.4.32</b>	<b>Playgrounds/Recreation – Ballfields Mowing</b>	<b>5,870.00</b>	
<b>7140.4.8</b>	<b>Playgrounds/Recreation – Morris Tract</b>	<b>330.00</b>	
<b>7210.4</b>	<b>Lyme Parks and Recreation – CE</b>	<b>295.00</b>	
<b>7310.1</b>	<b>Youth Programs – PS</b>	<b>650.00</b>	
<b>8310.1</b>	<b>Administration – PS</b>	<b>2,160.00</b>	
<b>8810.4.12</b>	<b>Cemeteries – Abandoned</b>	<b>1,270.00</b>	
<b>1620.4</b>	<b>Buildings – CE</b>		<b>\$13,850.00</b>

**Water District #2:**

<b>8330.4</b>	<b>Purification – CE</b>	<b>500.00</b>	
<b>8310.1</b>	<b>Administration PS</b>		<b>500.00</b>

**Water District #4:**

<b>9730.6</b>	<b>Debt Service – Principal</b>	<b>200.00</b>	
<b>8310.1</b>	<b>Administration – PS</b>		<b>200.00</b>

**All four Board Members were in agreement and the Motion was carried.**

**RESOLUTION 2016 – 166: Motion by Councilman Villa and seconded by Councilwoman Gosier approving Abstract #23 in the amount of \$89,800.69. Four ayes. Motion carried.**

**RESOLUTION 2016 – 167: Motion by Councilman Villa and seconded by Councilwoman Gosier approving Abstract #24 in the amount of \$83,301.68. Four ayes. Motion carried.**

**RESOLUTION 2016 – 168: Motion by Councilwoman Harris and seconded by Councilman Villa approving the Minutes of the November 9, 2016 Regular Monthly Meeting as provided by Clerk Wallace. Four ayes. Motion carried.**

**Highway Superintendent Pat Weston:**

When the Highway MEO's aren't out on the roads for snow and ice they are clearing brush.

New hire Adam Salisbury is working out great.

## **Assessor's Report – Marsha Barton**

The Assessors are working on their maintenance file along with processing exemption renewals.

This is the first year for the Star Credit Program, which continues to make a lot of confusion for property owners. The assessor's Office continues to process all existing STAR Exemptions. Any new property owners have to apply to the State and will receive a check for the same amount that they would save if they had the exemption.

The Assessor's Office has been receiving many calls regarding the Star Rebate Check. Some property owners have received their check and some have not. The Assessors can't provide any answers so they are recommending residents to call the State.

## **Municipal Water Board Report**

***RESOLUTION 2016 – 169: Motion by Councilman Villa and seconded by Councilwoman Harris approving the installation of a new service for Jeff Curacci located at 10721 County Route 8, Chaumont, Water District #4. Four ayes. Motion carried.***

***RESOLUTION 2016 – 170: Motion by Councilwoman Harris and seconded by Councilman Villa authorizing a withdrawal from the General Fund \$14,550.00 and transferring the funds into the Water Reserve Fund account. Four ayes. Motion carried.***

***RESOLUTION 2016 – 171: Motion by Councilman Villa and seconded by Councilwoman Harris authorizing the Water Reserve Account at the Watertown Savings Bank to be renamed the O & M Reserve and also depositing \$2,910.00 into the new account. Four ayes. Motion carried.***

***RESOLUTION 2016 – 172: Motion by Councilwoman Harris and seconded by Councilwoman Gosier authorizing a Capital Reserve Account for the Water Districts to be opened by years end and depositing \$11,640.00 into it. Four ayes. Motion carried.***

***Zoning Law Revisions will be TABLED until a later date. The Planning Board was directed to incorporate definitions that were recommended by Attorney Gebo into the Zoning Law; the Town Board has not received those changes to date.***

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

***Phillip and Janet Faye requested the following letter dated November 27, 2016 be read at tonight's Town Board Meeting:***

***Dear Kim:***

***"Phil and I would like you to please read this letter at the next Town Board Meeting. Also, Kim I know we request a lot of FOIL requests sometimes, and we thank you!***

***Both Phil and I would like to thank you all for your hard work on correcting the zoning violations on the Duck Harbor Road. Mr. Guga has finally removed the two large storage trailers and some of the junk vehicles. There are still some junk vehicles and a boat left on the property, but for the most part it looks much better down our way. As a reminder there are a few more places that have junk vehicles parked on their properties, and some small storage buildings that were not permitted at the beginning of the road. There is one storage building down near us that was built as a storage building, but is now being used as a cottage. We hope that the progress can continue next spring!***

***Again, we would like to thank the Town Board and the Zoning Department for the progress they have made. We know that sometimes you all must feel pretty unappreciated for the work you do, but we want to say that you are all appreciated!"***

***RESOLUTION 2016 – 173: Motion by Councilman Villa and seconded by Councilwoman Harris creating a “Town Development Water Reserve Fund” with a starting balance of \$25,000.00. Four ayes. Motion carried.***

***RESOLUTION 2016 – 174: Motion by Councilman Villa and seconded by Councilwoman Harris approving the New York State Snow and Ice Agreement to Extend Fixed Lump Sum Municipal Snow and Ice Agreement for 2017/2018 as follows:***

***This Agreement made this 15<sup>th</sup> day of December, 2016 by and between THE PEOPLE OF THE STATE OF NEW YORK (hereinafter referred to as STATE), acting by and through the Commissioner of Transportation of the State of New York (hereinafter referred to as COMMISSIONER), and the Supervisor of the Town of Lyme (hereinafter referred to as MUNICIPALITY) as follows:***

***WHEREAS, the COMMISSIONER and the MUNICIPALITY have entered into an Agreement No.D005387entitled “Fixed Lump Sum Snow and Ice Agreement between the New York State Department of Transportation and the Municipality of the Town of Lyme” dated 2/3/1992; and***

***WHEREAS, the term of the said Agreement is for a period of three years commencing July 1, 1991 and the said Agreement provides that the parties may at the end of each year of the term of the Agreement extend such term for an additional year; and***

***WHEREAS, the present term of the Agreement, as extended, expires June 30, 2017; and***

***WHEREAS, Section 7 of the said Agreement provides that the COMMISSIONER shall furnish the MUNICIPALITY with a suitable map for each term of the Agreement, or for any extended term thereof, modified to show the changes, if any, to the State Highways affected by this Agreement.***

***WHEREAS, Section 9 of the said Agreement provides for an annual update of the estimated expenditure to be determined by the COMMISSIONER subject to the provisions of Section 9 at the time for extension of the Agreement.***

**NOW, THEREFORE, in consideration of the mutual covenants and benefits between the parties,**

**WITNESSETH:**

- 1. The aforementioned "Fixed Lump Sum Snow and Ice Agreement Between New York State Department of Transportation and the MUNICIPALITY is hereby extended for a period of one year; now to expire on June 30, 2018; unless further extended.**
  
- 2. The State Highways or parts thereof affected by this Agreement are as delineated on the attached map, agreed upon by the COMMISSIONER and the MUNICIPALITY, which shall be effective for the remainder of the term of the Agreement commencing July 1, 2017 unless changed by future agreement between the COMMISSIONER and the MUNICIPALITY.**
  
- 3. All the terms and conditions of the original contract remain in effect except as follows:**

**The lump sum payment specified in Section 9 of the aforementioned Agreement shall be \$4,681.99 per lane mile for 18.9 miles for a total of \$88,489.56 for the 2017/2018 season for the remainder of the term of the Agreement commencing July 1, 2017, unless changed by future update.**

**IN WITNESS WHEREOF, This Agreement has been executed by the State, acting by and through the duly authorized representative of the COMMISSIONER, and the MUNICIPALITY, which has caused this Agreement to be executed by its duly authorized officer on the date and year first above written.**

**All Town Board Members were in agreement, approving the Agreement and the Motion was carried.**

<b>Deputy Supervisor Bourquin</b>	<b>Yes</b>
<b>Councilwoman Harris</b>	<b>Yes</b>
<b>Councilwoman Gosier</b>	<b>Yes</b>

**Councilman Villa**

**Yes**

***Councilman Villa asked that it be put on record stating he is bothered by the State not giving us our money on time and that it forces us to continue extending the contracts with them.***

### **Chaumont Bridge Repairs**

The project is not in active development, according to the NYS DOT Assistant to the Regional Director, Mike Flick. They will continue to monitor the bridge as part of the bridge inspection program and they will do their best to squeeze every bit of service life out of it they can; knowing that the bridge will eventually age out of service and then they will need to develop a project to replace the structure. As they get closer to that point in time the structure will be programmed for replacement.

Councilwoman Harris would like to see if they could make the bridge wider, when the time comes; she feels it would be nice to have bicycle and snowmobile lanes and a pedestrian walkway.

Councilman Villa stated that there's no reason we can't ask for more than the run of the mill bridge project.

***RESOLUTION 2016 – 175: Motion by Councilman Villa and seconded by Councilwoman Gosier scheduling the Year End Meeting for December 28, 2016 at 6:30 p.m. with a Public Hearing for the Local Dog Law to be held preceding the Meeting at 6:20 p.m. The Public Hearing and Meeting time and date will be published in the Watertown Daily Times. Four ayes. Motion carried.***

***RESOLUTION 2016 – 176: Motion by Councilman Villa and seconded by Councilwoman Gosier addressing the "Schedule of Fees" and removing it from the Dog Law so we do not have to schedule a Public Hearing when it is time to set new fees in the future. Four ayes. Motion carried.***

***RESOLUTION 2016 – 177: Motion by Councilman Villa and seconded by Councilwoman Harris authorizing the acceptance and signing of the contract***

*with the SPCA to be our dog shelter as of January 1, 2017. Four ayes. Motion carried.*

***RESOLUTION 2016 – 178: Motion by Councilwoman Harris and seconded by Councilman Villa appointing Gary Bird to the Board of Assessment Review for his term commencing from October 1, 2016 through September 30, 2021. Four ayes. Motion carried.***

***RESOLUTION 2016 – 179: Motion by Councilman Villa and seconded by Councilwoman Harris authorizing a letter of support to be sent supporting the grant for a new fire truck for the Three Mile Bay Fire Department. Four ayes. Motion carried.***

***RESOLUTION 2016 – 180: Motion by Councilman Villa and seconded by Councilwoman Harris authorizing the necessary payment to BAS to continue with their tax collection and accounting system through 2017. Four ayes. Motion carried.***

***RESOLUTION 2016 – 181: Motion by Councilwoman Gosier and seconded by Councilman Villa authorizing Supervisor Aubertine to sign the “Letter Agreement related to Power Purchase Agreement”, moving the Town forward with the Tri-County Energy Consortium and Solarcity Corporation. Four ayes. Motion carried.***

***RESOLUTION 2016 – 182: Motion by Councilwoman Gosier and seconded by Councilman Villa to make it known to Transfer Site Employees that the Hepatitis B Series is available for those employees who feel it would be in their best interest to receive the vaccinations. For those employees deciding to opt out of the Hepatitis B Series, their intentions must be made in writing and filed with the Town Clerk’s Office. Four ayes. Motion carried.***

#### **Privilege of the Floor**

**Gunther Schaller** – The Town of Clayton is going through the agony of updating their Zoning Law and we must prepare ourselves for going over the Wind Laws. It seems redundant for us to make duplicate fees and efforts. Gunther stated that more than half of the Towns in the County are under attack by the wind

companies. We do not want to undermine what other Towns are doing. If we don't stick together they will tear us apart.

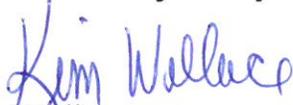
***RESOLUTION 2016 – 183: Motion by Councilwoman Harris and seconded by Councilman Villa moving the Town Board into Executive Session at 2:20 p.m. Four ayes. Motion carried.***

***RESOLUTION 2016 – 184: Motion by Deputy Supervisor Bourquin and seconded by Councilwoman Gosier moving the Town Board out of Executive Session and back into Open Meeting at 2:36 p.m. Four ayes. Motion carried.***

***RESOLUTION 2016 – 185: Motion by Councilwoman Gosier and seconded by Councilwoman Harris appointing Anthony DiBella as the new Transfer Site Attendant, with his first day of work beginning on December 17<sup>th</sup>, 2016. Four ayes. Motion carried.***

***Upon a Motion by Councilwoman Harris and seconded by Councilman Villa the Meeting was adjourned at 2:39 p.m. Four ayes. Motion carried.***

***The Minutes of Today's Meeting are Respectfully Submitted by,***



***Kim Wallace  
Town Clerk***