

February 10, 2021
Town of Lyme
Public Hearing 6:15 P.M. and Water Rates 6:25 P.M.
Regular Monthly Meeting 6:30 P.M.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilmember Countryman, Councilmember Gosier, Councilmember Villa (by video), Patrick Weston, Legislator William Johnson, and Town Clerk Ariana Henderson (by video).

Public Hearing for Item 9 of the Laws of New York State/Consolidated Laws/Article 16: Zoning and Planning/Section 271:

Supervisor Aubertine called the Public Hearing to order at 6:15 P.M. He explained that the hearing was for item 9 of The Laws of New York State/Consolidated Laws/Article 16: Zoning and Planning/Section 271. This is regarding a planning board member who was unable to attend the Planning Board meetings for two years. By law the Town Board is allowed to remove the member from office as a violation of the planning board by laws regarding attendance. Supervisor Aubertine did not read the Public Hearing notice out loud but it was published in the newspaper as follows:

The Town of Lyme will be holding a Public Hearing on Wednesday February 10, 2021 at 6:15 p.m. at the Town of Lyme Office located at 12175 NYS RT 12E, Chaumont, NY to enforce Item 9 of The Laws of New York State/Consolidated Laws/Article 16: Zoning and Planning/Section 271. The regular monthly meeting and any other business that may come before the Board will follow. 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.

According to the Zoning and Planning/Section 271 7A of the Town Law requires each planning board member four hours of training each year. The Board does have grounds under Subsection 9 to remove a member after a public hearing. Supervisor Aubertine did not read the ground rules for the hearing because there was no public present. There were no questions regarding the public hearing.

Resolution 2021-17: Supervisor Aubertine made the motion to close the public hearing Item 9 of the Laws of New York State/Consolidated Laws/Article 16: Zoning and Planning/Section 271; Councilmember Gosier seconded the motion; all were in favor; motion carried.

Intermission

Public Hearing for 2021 Water Rates Hearing:

Supervisor Aubertine called the 2021 Water Rates Public Hearing to order at 6:25 P.M and read the public notice as follows:

PLEASE TAKE NOTICE that the Town of Lyme Board shall conduct a Public Hearing on Wednesday February 10, 2021 at 6:25 p.m. at the Town Municipal Offices located at 12175 NYS RT 12E, Chaumont, NY to consider the adoption of the 2021 Water Rates for the Town’s Water Districts #1 thru #5.

<u>Bi-monthly Rates Per EDU</u>				
WD # 1	Debt	\$14.00	Water Reserve O&M	\$9.00
	O&M	\$17.00	Water Reserve Capital	\$3.00
WD# 2	Debt	\$35.00	Water Reserve O&M	\$9.00
	O&M	\$20.00	Water Reserve Capital	\$3.00
WD# 3	O&M	\$10.00	Water Reserve O&M	\$9.00
			Water Reserve Capital	\$3.00
WD# 4	Debt	\$25.00	Water Reserve O&M	\$9.00
	O&M	\$19.00	Water Reserve Capital	\$3.00
WD# 5	Debt	\$56.00	Water Reserve O&M	\$9.00
	O&M	\$20.00	Water Reserve Capital	\$3.00

A full text of the above referenced law are on file with the Town Clerk and may be inspected during normal business hours. 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 or email lymetownclerk@townoflyme.com at least 3 business days prior to the hearing.

There were no public comments.

Resolution 2021-18: Councilmember Countryman made the motion to accept the 2021 Water Rates; Councilmember Gosier seconded the motion; all were in favor; motion carried.

Resolution 2021-19: Councilmember Gosier made the motion to close the 2021 Water Rates Public Hearing; Councilmember Countryman seconded the motion; all were in favor; motion carried.

Call to Order:

Supervisor Aubertine called the regular monthly meeting to order at 7:25 p.m. opening the meeting with a moment of silence for Leo Wilson Sr. following with a prayer and the Pledge of Allegiance.

Privilege of the Floor

Legislator William Johnson:

Legislator Johnson stated that the last sales tax report was up by 2.4% which was a surprise. The County passed a resolution which was expressing their opposition of closing the Watertown Correctional Facility. There was an advisory board for fireman and EMS. The County split the board so there is now two boards and there are members of the public and county representatives. Joe Plummer is a member of the board. They also passed a resolution implementing a fee for the collection of mattresses. The County will have their website to sign up for the COVID-19 vaccine up and running after Tuesday morning. They receive a certain amount of vaccines per day. It is dedicated for essential workers and people 65 and over. The vaccine is given at Jefferson Community College. The appointments are going very quickly. The Riverside solar Project is having a virtual community meeting March 2nd. Supervisor Aubertine stated that is the one outreach they will have to the public. The solar project that is on County Route 179 went about the project backwards. They took a side step and approached the School on their own about a PILOT agreement. The developer has not contacted the Jefferson County IDA but has negotiated something with Lyme Central School which is not finalized.

Supervisor's Report

Resolution 2021-20: Councilmember Gosier made the motion to approve the January Supervisor's Monthly Financial report; Deputy Supervisor Bourquin seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

Pat Weston stated that it was a busy month with snow and ice. This week Pat and his highway crew also did the Village work because of both employees were on mandatory quarantine. Pat is rebuilding one of the dumpsters at the transfer site. The County also asked them to re-build the glass dumpster because it is falling apart. Supervisor Aubertine asked what the Whites Lumber bill was for. Pat stated it was to build shelves to organize the shed that has all of the Town records. Deputy Supervisor Bourquin asked if they had to replace the clutch in the black truck. Pat responded yes and the bill was double what the company originally estimated. Another truck is also in the shop but they are able to use the spare truck. Supervisor Aubertine has received several compliments and stated that the highway department is doing a very good job.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$2,502.35; Total State County & Local Revenues: \$2,568.85 Total Non – Local Revenues: \$66.50

Audit of the Bills (Abstracts #3 & #4)

Resolution 2021-21: Councilmember Countryman made the motion to approve Abstract #3 in the amount of \$759.00; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2021-22: Councilmember Gosier made the motion to approve Abstract #4 in the amount of \$89,365.14; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2021-23: Councilmember Gosier made a motion to approve the January 13, 2021 Minutes with amendments to change Councilmember Villa to Councilmember Gosier in resolution 2021-16 adjourning the meeting; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Committee Reports

Assessor's Report:

There was no Assessor's Report.

Municipal Water Board Report:

There was no Water Board Report.

Planning Board:

There was no questions on the Planning Board minutes for February.

Zoning Board of Appeals (ZBA):

There was no ZBA Report.

Youth Commission:

The Youth Commission met by zoom this month. They discussed winter programs and there is not much they can do with Covid. They will meet again next month. They had the Election of Officers: Chairman Scott Radley, Vice Chairman Jim Morrow, Secretary/IT Heather O'Brien, Member Rebecca Kron, Town Board Councilmember Terry Countryman, Member Mindy Kaplan, Member Charlie Mount, and Village Board Trustee Mike Nichols. The meetings are held the last Tuesday of the month.

ZEO/CEO Report:

There were no questions on the Zoning and Code Enforcement BAS report. Councilmember Countryman asked if there was a conflict of interest with Jim issuing his own building permit. Supervisor Aubertine stated that the Deputy ZEO/CEO should look at it. Clerk Henderson stated that Richard Ingerson is going to approval or disapprove his permit. He has paid for the permit but has not received it yet.

Zoning Law Study Committee:

The committee is Planning Board member Sue Warner, ZBA Chairwoman Judi Bates, and Town Board Member Julie Gosier. Councilmember Gosier stated the committee has been going over a lot of things. They discussed preserving the water front and the appearance of the water front. They are researching laws that state you have to have a percentage of your lot that doesn't have

structures on it aka green space. Most Towns call it percentage of lot coverage. Judi Bates is looking into what percentage other Towns have. The committee wants to come up with a map to protect our waterfront district. They are also looking at the comprehensive plan. There is wording talking about the view shed and protecting waterfront but it needs to be expanded. Councilmember Gosier stated that one thing to think about is drive from Three Mile Bay to Cape Vincent. The only strip of land that you can see the water is across from Jack's Diner. They would like to edit the purpose of our zoning law to include protecting the environment. Another good idea the committee offered is to have signs that state Zoning Enforced when you enter the Town of Lyme. The committee would like to hold a joint meeting between the Planning Board, Zoning Committee, and Town Board to discuss these variety of issues. Supervisor Aubertine asked if they wanted the Joint meeting to be before the next town board meeting. Deputy Supervisor Bourquin would like to wait until the virus dies down. The Board agreed that a meeting in April would be good because several people will have had their vaccine by then. There was further discussion on the zoning law and the discrepancies it has.

TMB Cemetery:

Councilmember Gosier stated that there was no business.

New Business:

Email Notification:

Supervisor Aubertine asked Clerk Henderson to explain the email notification software proposed by website designer Matt Turcotte. The software will allow the Town to send emails to resident who chose to get them. It will increase awareness of events in the Town and the software is free. She also stated that if she set up a Town Facebook this would help notify the Town of the happenings.

Resolution 2021-24: Councilmember Countryman made the motion to approve for Clerk Henderson to set up a Town Facebook account and set up the email notification program through Matt Turcotte; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Enhanced Upgrade Program:

Clerk Henderson stated the software we currently have is about 13 years old and is not compatible with windows 10. The new upgrade also includes a budget feature. Cathy Satterley also recommended the upgrade.

Resolution 2021-25: Councilmember Countryman made the motion to upgrade the enhanced accounting program for \$2995.00; seconded by Councilmember Gosier; all were in favor and the motion was carried.

NYS DOT IMA:

Supervisor Aubertine sent the Shared Service agreement between the Town of Lyme and NYS DOT to the Board members. The agreement states that when the Governor declares a state of

emergency and the Town is impacted the NYSDOT can step in and help municipalities. Deputy Supervisor Bourquin stated that it shouldn't cost the Town anything. Supervisor Aubertine said that it is similar to an inter-municipal agreement. The total amount of the agreement is not to exceed \$25,000.00.

Resolution 2021-26: Deputy Supervisor Bourquin made the motion to accept the NYS DOT IMA agreement for four years; seconded by Councilmember Gosier; all were in favor and the motion was carried.

ZBA Application Process:

ZBA Chairwoman Judi Bates and Clerk Henderson sat down together and organized the process for the Zoning, Planning Board and ZBA Variance applications. Councilmember Gosier stated that one of the first items on the Planning Board directions should be the resident should have a preliminary meeting. She suggested tabling the discussion until next month when there is more time to discuss the processes along with the Zoning fees.

Planning Board Member Dismissal:

Resolution 2021-27: Deputy Supervisor Bourquin made the motion to dismiss the planning board member in question who did not abide by the Planning Board By-Laws, appoint Thomas Strejlau to replace the member and finish the member's term and also advertise for the vacant planning board alternate position; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Councilmember Gosier stated that Planning Board Chairman Schweitzer would like to review any Planning Board applications that are submitted. Supervisor Aubertine stated that the Planning Board will interview the applicants and then the Planning Board will recommend them to the Town board.

Can Am Softball Tournament:

Supervisor Aubertine stated that we had a request for the girls to have the Can Am Softball tournament at the Morris Tract Field.

Resolution 2021-28: Councilmember Gosier made the motion to allow the Can Am Softball tournament at the Morris Tract Field with COVID guidelines and protocol followed; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Sale of Property:

Councilmember Gosier suggested that we sell the property the Town owns on Klock Road. She stated that if we no longer own the land it can go back on the tax roll. Supervisor Aubertine stated that the attorney said we would need to list it for fair market value. Councilmember Countryman suggested getting the property surveyed. Supervisor Aubertine agreed. Deputy Supervisor Bourquin stated he would like to hold on to a part of it. He said it should be discussed with Transfer site employee Al Crouse to see what portion the transfer site may utilize on the property. They do dump brush and debris there. **There was discussion regarding the sale of the**

property and the logistics of it. Supervisor Aubertine stated that Deputy Supervisor Bourquin and he would look into how much land they will need to keep for the transfer site.

Grant Alert:

Supervisor Aubertine received a grant alert. He stated he would discuss it with the Town Board if one became available that the Town could apply for. The Cares Act is awarding 5 billion dollars to businesses and municipalities to respond to the pandemic. Supervisor Aubertine stated we also had to do an Emergency Plan and adopt it by April 1, 2021. He thought that the housing section of the Emergency Plan was interesting. He interpreted it as essential workers could stay in a hotel if needed to prevent the spread of coronavirus. The Board wasn't interested in pursuing the grant.

Youth Program:

Councilmember Gosier asked if the Town was going to participate in the summer Youth Worker Program. Supervisor Aubertine stated he emailed someone asking for more details but hadn't received a response yet. He will email another contact he has. Supervisor Aubertine was surprised that the age now goes up until 24. Councilmember Gosier stated that was to include college students. Councilmember Gosier stated it would be a good idea for a summer worker and if we could get an older worker they could weed eat. Supervisor Aubertine agreed.

Comprehensive Plan:

Councilmember Gosier requested that the Town provides copies of the Comprehensive Plan to the employees who need one. She stated that they could have a company print them if needed. Clerk Henderson asked how many copies were needed and that she could print them in the office. She stated we did have a digital copy. Councilmember Countryman stated that he would like to go through the company Production Unlimited who has printed items for the heritage center. The Board agreed he would get a quote from Production Unlimited on printing copies of the plan.

Barnes Bay Cemetery:

Councilmember Gosier would like to have Harry Wilson walk the Barnes Bay cemetery with her to see what work could be done within the \$5,000.00 budget. The cemetery is in rough shape. It is the cemetery next to Bicentennial Park. If there will be future events in this location it would be nice to have the cemetery in good shape.

Chaumont River Campground:

Councilmember Gosier stated that the Chaumont River campground PDD should be reviewed to see what the number of sites allowed were on the final PDD. It would be good to have the maximum number of sites written into their PDD. She stated the 14 sites per acre that is written in the law is not feasible because of the layout of the land there. Supervisor Aubertine asked if they meant the Department of Health requirements. Councilmember Gosier stated they have met the requirements for their expansion. She said that there is no number of maximum sites on their PDD. As it is written now they can put 14 sites per acre. The Board will

need to do more research to determine what the DEC and Department of Health require at the campground and to start the editing process of the PDD.

Old Business:

Three Mile Bay Ambulance:

Fire Chief Justin Bourquin sent another letter to the Town regarding the Three Mile Bay Ambulance. Supervisor Aubertine read the letter out loud from Three Mile Bay Fire CO.

Town of Lyme Board

The Three Mile Bay Fire Co. Inc. is struggling to continue to provide the best medical care to the town residents that they deserve. At this time the current rate of failed medical calls is 51% and that is unacceptable. To be proactive and do are best the members have decided to lease an employee from Guilfoyle Ambulance Service Inc. The company is going to use the \$35,000 from this years contract to pay for the lease. The rate for the lease is \$25hr and will provide a Basic EMT or higher for 12hrs a day Monday through Friday. That rate and the days covered we will only be able to provide a staffed EMT till mid June. I hope this give you enough time to find a suitable replacement. Thank you for your time.



Justin Bourquin
Chief
Three Mile Bay Fire Company Inc.
February 10, 2021

Deputy Supervisor Bourquin questioned whether we would need to change the contact for the budgeted amount of \$35,000.00 because of the Guilfoyle agreement. Supervisor Aubertine and Councilmember Gosier didn't think that was necessary. Chief Bourquin would like to have a small meeting to discuss the issues. He would like a couple town board members, Chaumont fire department members, and Three Mile Bay fire members. Supervisor Aubertine stated that the Chaumont Fire members are willing to come to any meetings. Deputy Bourquin said the first

ambulance meeting was informative but there were too many people there to get too involved. Councilmember Gosier stated the meeting gave her ideas on what they shouldn't do regarding the ambulance. The upcoming meeting will help assure them that the Town will stand behind them because no one is the Town wants to see the ambulance squad struggle. Supervisor Aubertine asked who would want to be a part of the next ambulance meeting. Councilmember Gosier and Countryman offered to go. Supervisor Aubertine asked Legislator William Johnson to also attend the meeting. Mr. Johnson agreed. There was further discussion on the budget appropriation for the Three Mile Bay Ambulance service.

Resolution 2021-29: Supervisor Aubertine made the motion to set up a committee comprised of Councilmembers Gosier and Countryman, Legislator William Johnson and 2 members of the Three Mile Bay Fire Department and Chaumont Fire Department to discuss the Three Mile Bay Ambulance Service; seconded by Councilmember Gosier; all were in favor and the motion was carried.

STRU:

Supervisor Aubertine stated he sent the Short Term Rental Law revisions to the Board. Someone complained to Supervisor Aubertine about the parking on Three Mile Point and about the septic systems in relation to the Short Term Rental Units. They believe septic's should have to be inspected. Councilmember Gosier stated that she thinks that the STRUs should have to register with the Town. She agrees that septic's need to be inspected but doesn't know how to enforce that without singling out the STRU owners. Councilmember Villa's thoughts on the revised law was that the fees should not be included in the law but written in the fee schedule. This way when the fees are changed the whole zoning law would not need to be updated. The Board also discussed the possibility that the STRU law could be a stand-alone law and not included in the zoning law. Deputy Bourquin stated that the discussion should be tabled until the summer when more residents are here and the Coronavirus has died down. Supervisor Aubertine is going to send the Board's questions to the Town Attorney to review.

AES Clean Energy (Riverside Solar):

AES Clean Energy is the solar project that goes down Case road, 12E and also goes into Brownville. Supervisor Aubertine expressed his concerns regarding the HOST agreement and also the resident's concerns on his phone conference with the representative from AES Clean Energy.

Engineer Proposal:

The Town received engineered proposals for the Riverside Solar project. GYMO sent a proposal tonight. We also received one from Barton and Loguidice, Bernier and Carr and the Town attorney also stated he could represent us. Supervisor Aubertine stated he personally believes Barton and Loguidice would be the best choice. Deputy Supervisor Bourquin stated Bernier and Carr has done a great job in the past with all our engineer projects, however this firm seems to specialize in solar and has a lot of experience. They also have a local office in Watertown but are their main office is in Albany. Councilmember Gosier agreed with Supervisor Aubertine and Deputy Supervisor Bourquin. The Town of Brownville is also considering using this firm, but

hasn't made a final decision. There was further discussion on the proposal from Barton and Loguidice.

Resolution 2021-30: Councilmember Gosier made the motion to accept the Barton and Loguidice engineer proposal for the Riverside Solar Project; seconded by Councilmember Countryman; 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

Resolution 2021-31: Supervisor Aubertine made the motion to enter Executive Session at 8:45 p.m.; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Resolution 2021-32: Councilmember Gosier made the motion to close Executive Session at 9:07p.m.; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Return to Open Meeting

Resolution 2021-33: Supervisor Aubertine made the motion to enter Open Meeting at 9:08 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Adjournment

Resolution 2021-34: Councilmember Gosier a made the motion to adjourn; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried; meeting was adjourned at 9:10 p.m.

Respectfully Submitted

Ariana Henderson

Ariana Henderson
Town Clerk