

**Town of Lyme
Regular / Organizational Meeting
January 9, 2008
6:30 P.M.**

The newly elected Town Supervisor, Scott Aubertine, called the Town of Lyme January Meeting to order at 6:30 p.m. with a Prayer and the Pledge of Allegiance.

Present at tonight's meeting: Supervisor Aubertine, Councilmen Countryman, Madill, Schreib and Johnson, Attorney Gebo, Zoning Officer Suzann Cornell, newly appointed Bookkeeper Tom Bowie, Superintendent Parker, Village Clerk Paula Radley, Deputy Clerk Jo Morrow, Clerk Wallace and approximately 25 others.

The Public Hearing Notice for tonight's meeting was not properly posted in the Watertown Daily Times. There will have to be a new notice for the Wind Farm Moratorium Extension Public Hearing.

RESOLUTION 2008 – 1: Motion by Councilman Schreib and seconded by Councilman Johnson to set the Public Hearing for the Extension of the Wind Farm Moratorium for January 28, 2008 at 6:30 p.m. at the Chaumont Fire Hall. Five ayes. Motion carried.

Supervisor's Comments

Supervisor Aubertine – “I'd like to take this time to thank the people of the Town of Lyme for their support. I understand the responsibilities of being the Chief Financial Officer and will do my best to keep taxes down. However, I believe there is more to managing the business of the Town than just the finances. We must remember not only the finances, but the heart, mind and will of the people. A happy, thriving Town is not always achieved by the lowest tax rate. I will strive to be responsible, still offering the same excellent services we are accustomed to, and hopefully more. I'm sure I will make decisions that some may feel are not the best decisions. I will even make, what some people may consider, a mistake now and then. But I ask, who among us has not made a decision or a choice they wish they could have taken back? Who among us is perfect? I am not perfect and I admit I have much to learn about Town Government. But one thing I think I do know is this Town and the people in it. I know the people who have lived here for fifty years, and through my involvement in various organizations and my job, I have gotten to know the people who are new to the Town. And we all want the same thing, and that is to live in peace and harmony.

During my door-to-door election campaign, I began to see a consistent concern of the people. And that was, that they wanted change. They wanted a change in our government philosophy and they wanted a change from the petty animosities and politics of the past. And after all, this is about what the majority of people want, not what a few want. It is about utilizing the talents of the people who are willing to do the best they can for the good of this Town, and whom many Townspeople trust and respect. This is a new year, with a clean slate. What should matter

is that we are all on the same team, with the same goal in mind and that is to make this Town a good place to live. Not only financially, but morally, spiritually, and with pride, character, understanding and friendliness. Petty bickering, rumors and politics have divided this Town. Hopefully, it will end now. I ask everyone to change their attitudes and put an end to negativity and distrust. We have to be proactive and not reactive. Honesty, fairness, and open communication are expected and should be the normal standard of operation within the Town Government by all elected, appointed and hired employees. The best way to lead is by example. The examples of the past have not always united this community. Rather, they have brought shame, disgrace and negative publicity. Seeing negative articles in the newspaper, like the recent one about the Town Historian reflects poorly on our Town period. I can not understand the thinking of why someone would care so little about our Town, that they would want to have the entire County view it as a negative and divided Town. I cannot understand why someone would want to put our Board Members, into a position where they have to give statement to the media, with an article so filled with negativity that it makes them look bad, as that one did. I feel so sorry for people like that who are filled with anger, resentment, and disloyalty to the people of the Town of Lyme . I pray that those people will come to their senses and let bygones be bygones. On a lighter note, in 1962 President John F. Kennedy said, “ask not what your Country can do for you, but ask what you can do for your Country.” That is a philosophy I hope to renew in this Town. I encourage all residents to volunteer to an organization, and I encourage all organizations, clubs and committees of the Town of Lyme to continue your fine services and practices of volunteering. Not only to raise money for your organization, but also to help lower taxes, increase tourist-attracting events and promote Community pride. I ask our community organizations to continue to Adopt a Highway, designate funds to improve a recreational facility, repair or clean a sidewalk, plant trees, install flower pots or purchase banners for utility poles. I encourage the people to embrace the opportunity to enjoy the sense of accomplishment and satisfaction felt in volunteering for community activities, and in making new friends. I hope to see the communities of this Town, active, alive and supportive of each other. The spirit and pride created by our State Champion Girls Soccer Team need not end. I hope to be allowed the freedom to return this Town to the thriving, but quaint, tourist attraction I knew as a boy. We no doubt, will learn to accept the inevitable growth, yet I hope for the freedom to do what it takes to retain our character and sense of community. I hope for the freedom to make this Town a place to simply enjoy driving through, or hopefully, coming for a visit. But, not only do I ask the people to volunteer their time and talents, I will encourage every elected official and every employee of the Town to first ask, “what can I do for you?” For it is the people we are here to represent and serve. We must remember we are all one, each striving for the same sense of peace, security and happiness. May God be with us.” End quote.

Privilege of the Floor

Bob Thomas

Cliff Moorhead – Supervisor Aubertine met with Mr. Moorehead this afternoon and he had some concerns with the County Route 57. Scott assured him that we would do what we could to address these issues. He promised him if there were nothing we could do he would let him know that as well.

Presentation of Banks – Karen Fitzgerald – Citizens Bank of Cape Vincent – Karen thanked the Town Board for having Citizens Bank as their primary bank in 2007 and hopes that they will once again be the bank of choice for 2008.

Executive Session

Motion by Councilman Johnson and seconded by Councilman Countryman to go into Executive Session for discussion of appointments of personnel at 6:43 p.m. and the Meeting was called back to order at 7:45 p.m.

Annual Appointments and Resolutions

- a. Budget Officer – Scott Aubertine
- b. Deputy Supervisor – Mike Countryman
- c. Bookkeeper to Supervisor – Sovie and Bowie
- d. Consolidated Health Officer – Scott Aubertine
- e. Consolidated Health Doctor – Doctor Nicholas Rice
- f. Deputy Highway Superintendent – James Price
- g. Transfer Site Supervisor – George Perkins
- h. Deputy Town Clerks – Paula Radley and Jo Morrow
- i. Records Management Officer – Kim Wallace
- j. Registrar of Vital Statistics – Kim Wallace
- k. Deputy Registrar of Vital Statistics – Paula Radley
- l. Chairman of Assessors – Marsha Barton
- m. Police Chief – Leo Wilson, Sr.
- n. Police Officer – Leo Wilson, Jr.
- o. Water Districts Billing Clerk - Marsha Barton
- p. Water Districts Receiving Clerk – Kim Wallace

RESOLUTION 2008 – 2: Motion by Councilman Schreib and seconded by Councilman Johnson to accept appointments A – P. Five ayes. Motion carried.

q. There was no motion to fill the position of Zoning Enforcement Officer, not hearing a motion the position is considered vacant and the Deputy Zoning Enforcement Officer, Roger Covey, will assume the roll until we can advertise to fill the position.

RESOLUTION 2008 – 3: Motion by Councilman Madill and seconded by Councilman Johnson to appoint the Deputy Zoning Enforcement Officer, Roger Covey, to assume the roll of the Zoning Officer until the position is advertised and an appointment is made to fill the position. Five ayes. Motion carried.

- r. Zoning Board of Appeals Chairman – 3 Month Appointment Only – Harry Staudenmayer

RESOLUTION 2008 – 4: Motion by Councilman Countryman and seconded by Councilman Madill to appoint Harry Staudenmayer as the Chairman of the Zoning Board of Appeals for a three-month period. At the end of this period the Town Board will consider other possibilities for the position. Five ayes. Motion carried.

- s. Secretary to ZBA and ZEO – Jo Morrow
- t. Member to ZBA – Bill Johnson – five year appointment
- u. Chairman to the Board of Assessment Review – Ted Utess
- v. Chairman to the Planning Board – Boo (Ann) Harris
- w. Secretary to the Planning Board – Judy Tyndall
- x. Town Historian - Vacant

RESOLUTION 2008 – 5: Motion by Councilman Schreib and seconded by Councilman Madill to accept the designated appointments S – X as suggested. Five ayes. Motion carried.

Supervisor Aubertine has not been successful in finding a replacement for the Town Historian. He asked if there were anyone from the Community interested in the position to contact him.

- z. Town Attorney – Mark Gebo
- aa. Election Machine Custodian – Steve Long
- bb. Town Office Maintenance – Tamra Quencer
- cc. Marriage Officer – Kim Wallace
- dd. Municipal Water Board Chairman – Marsha Barton

RESOLUTION 2008 – 6: Motion by Councilman Schreib and seconded by Councilman Countryman to accept appointments Z – DD as suggested. Five ayes. Motion carried.

Resolutions – 2008:

1. Establishment of Banks – Citizens Bank of Cape Vincent
2. Establishment of Regular Meeting Dates – Second Wednesday at 6:30 p.m.
3. Annual Appointments – as appointed at tonight’s meeting.
4. Establishments of Salaries – as per the 2008 Budget
5. Establishment of Legal Newspaper – Watertown Daily Times
6. Establishment of Signatures for Bank Transactions – Supervisor and Deputy Supervisor
7. Establishment of Signatures for Consolidated Health – Supervisor and Deputy Supervisor
8. Establishment of Signatures for Town Clerk’s Account – Clerk and Deputy Clerk

9. Establishment of Signature's for Tax Collector's Account – Amy Barton
10. Establishment of Signatures for Water District Accounts – Clerk and Deputy Clerk
11. Establishment of Mileage Rate – State Rate
12. Establishment of Audit Committee -
13. Designation of Polling Places – Municipal Building in Chaumont and Three Mile Bay Fire Hall in Three Mile Bay
14. Adoption of Investment Policy -
15. Adoption of Procurement Policy
16. Retirement Resolution for Year
17. Town Officials Bond
18. Prepayment of Claims
19. Payment of Town Association Dues
20. Payment of Elected / Appointed Officials' Annual Dues
21. Authorization of Payment for Attendance at Association of Towns Annual Conference
22. Claims to be charged against General Fund A-00-1620-00.4 – Contractual:
 - a. Electric
 - b. Heating Fuel
 - c. Telephone / Fax
 - d. Internet
 - e. Water / Sewer
 - f. Copiers – Maintenance and Repairs, Paper
 - g. Shared Supplies

RESOLUTION 2008 – 7: Motion by Councilman Schreib and seconded by Councilman Madill to accept the Establishment of Resolutions 1 through 22(g) for 2008. With a limit of \$1000.00 for Number 21 Attendance at Association of Towns Annual Conference. Five ayes. Motion carried.

Supervisor Aubertine will be establishing the following Committees:

Oversight Committee – Mike Countryman and Norm Schreib

Three Mile Bay Improvement Committee – Mike Countryman and Scott Aubertine

Transfer Site Committee – Norm Schreib and Warren Johnson

Web Site Committee – Norm Schreib, Kim Wallace and Scott Aubertine

Highway Department Committee – Mike Countryman and Scott Aubertine

Building and Grounds Committee – Tom Parker, Norm Schreib and Mike Countryman

Infrastructure Committee – Warren Johnson and Scott Aubertine

Town Historical Committee – Jim Madill

Youth Commission Liaison – Jim Madill

Planning Board Liaison – Warren Johnson

Superintendent's Report

Superintendent Parker had a motor vehicle accident with the Town Pickup Truck.

The accident has been reported to the Insurance Company and they have issued a check for the repairs in the amount of \$1,700.00. The Town has a \$500.00 deductible, which brought the estimated amount for repairs to \$2,200.00. Mickey's Body Shop will do the repairs.

RESOLUTION 2008 – 8: Motion by Councilman Madill and seconded by Councilman Johnson to repair the highway loader, as suggested. Five ayes. Motion carried.

Councilman Countryman asked **Superintendent Parker** to check with Jim Lawrence about the sign posts for the Fire Roads.

Superintendent Parker also stated his continued concern with the ice fishermen-parking problem on Point Salubrious. Emergency vehicles and plows cannot safely maneuver through the areas in question.

There was some conversation regarding the use of private property to alleviate the parking problem. Supervisor Aubertine and Councilman Schreib will look into it further.

Councilman Johnson has recently spoke to New York State Police Officer Pierce regarding a burglary problem on Point Salubrious. He asked that anything suspicious be reported by our residents.

Councilman Schreib requested highway information for Town Roads from Superintendent Parker. Tom stated he will leave the requested information in Norm's box.

Minutes

RESOLUTION 2008 – 9: Motion by Councilman Countryman and seconded by Councilman Schreib to accept the November 29, 2008 Public Hearing Minutes as written with the exception of changing the Police Chief, Leo Wilson's phone number to 783-9997 and to post it on the Town's Web Page. Five ayes. Motion carried.

RESOLUTION 2008 – 10: Motion by Councilman Countryman and seconded by Councilman Madill to accept the December 12, 2007 Regular Meeting Minutes as written with the exception of a change made to page five "Councilman Madill – buy and fix" rather than fix. Five ayes. Motion carried.

The Town Board is still looking for the signed Cell Phone User Agreement.

Supervisor Aubertine asked if there would be a possibility for him to have a cell phone provided to him for Town use. The cost would be \$9.99 per month and the money would come out of the Supervisor's Account. Supervisor Aubertine would also be required to sign the Town's Cell Phone User Agreement.

RESOLUTION 2008 – 11: Motion by Councilman Johnson and seconded by Councilman Schreib to purchase a cell phone for Supervisor Aubertine’s use. The phone purchase will be added to The Town’s current contract with Verizon Wireless and the phone number will be added to the Town of Lyme Web Site. Five ayes. Motion carried.

Audit of Bills

RESOLUTION 2008 – 12: Motion by Councilman Johnson and seconded by Councilman Schreib to accept Abstract # 1 in the amount of \$45,389.81. Five ayes. Motion carried.

RRESOLUTION 2008 – 13: Motion by Councilman Johnson and seconded by Councilman Countryman to accept Abstract # 2 in the amount of \$1,175.00. Five ayes. Motion carried.

Supervisor’s Report

Supervisor Aubertine asked Bookkeeper Gotham to give the Supervisor’s Report for December 2007. The end of 2007 showed a profit of \$3,004.75. We did not receive our CHIPS money in 2007.

Bookkeeper Gotham suggested year-end budget transfers.

RESOLUTION 2008 – 14: Motion by Councilman Schreib and seconded by Councilman Johnson to accept the December 2007 Supervisor’s Report as submitted. Five ayes. Motion carried.

Bookkeeper Gotham thanked the present Town Board and the two previous Supervisor’s, Mike Callahan and Jim Golden. He feels they all worked well together. They always demanded the best reports and he respects them for that. He also stated that he feels the Town will be pleased with Tom Bowie’s services.

Newly appointed Bookkeeper Tom Bowie – has been in business since 1978. Sovie and Bowie do a lot of audits for Town’s, Municipalities, and School Districts. He will be presenting a different format for us and hopes the Town approves. He stated he would be looking forward to working with the Town.

Department Reports

Zoning Enforcement Officer – written report -

Assessor’s Report – no written report

Municipal Water Board – Marsha Barton reported that the Water Districts have been operating in the red; this will be the first year they will be ending with a profit. The Water Facility also made a profit in 2007.

Cemetery Report – Julia Gosier – Steve Gagnon will be meeting with Superintendent Parker to discuss the State Right of Way in Three Mile Bay.

A signature will be needed from the Board to give a release to do the Right of Way work at the Three Mile Bay Cemetery if they are able to straighten out the survey.

Planning Board –Attorney Gebo stated that The County Planning Board will be reviewing certain Zoning decisions that could have an impact on County or Regional facilities. If the area affected by a zone change would be within 500’ of a County or State Road or within 500’ of a municipal boundary of any type then it has to go to the County Planning Board for their review. It’s only a review by the county, they don’t have the ability to approve or deny, although if they recommend against, it could force the Board to have a Super Majority Vote to pass it. The County Planning Board review must take place before the Town can vote to enact the law. Is this Board prepared to send the Local Wind Law Draft to the County Planning Board? The next time the County Planning Board will be meeting, will be the last Tuesday of the month. Attorney Gebo prefers the Draft to go to the County Planning Board by the end of this week so they can conduct their review on it.

RESOLUTION 2008 – 15: Motion by Councilman Schreib and seconded by Councilman Johnson to send the Town of Lyme’s Local Wind Law Draft to the County Planning Board. Five ayes. Motion carried.

The County Planning Board has to act and the Town has to complete the Environmental Review before we consider whether or not to adopt the law. The Town has already had one Public Hearing and had a lot of comments. The Town may or may not want to make changes to the law based on the comments the Board has heard. If changes are made then the decision has to be made as to whether or not the changes are substantial. If the changes are substantial then the Town may have to hold more public hearings and it may need further review. Once the Board adopts the law the Attorney and Clerk have to sign a form stating we have met the procedural requirements and it will be filed with the Secretary of State. Once filed with the Secretary of State it is accepted. If any changes are made to the Law it must go back to the County Board. In theory, the earliest date possible for adoption would be at the February meeting, assuming there are no substantial changes. Attorney Gebo recommended a 60 – 90 day extension of the moratorium; with the idea that the law can be repealed before it expires.

Councilman Schreib – made a clarification- there had been Board discussion, in February of 2007, directing Councilman Johnson to be the liaison between the Town Board and the Planning Board It was to simply get some direction for the Board. The Town Board would like to make a motion on that so it is clear. They felt it was clear at the time of the decision.

RESOLUTION 2008 – 16: Motion by Supervisor Aubertine and seconded by Councilman Schreib to appoint Councilman Warren A. Johnson as the Planning Board Liaison for the Wind Law only. Five ayes. Motion carried.

LET THE MINUTES REFLECT THE APPOINTMENT OF PAUL CARR AS THE CITIZENS COMMITTEE ADVISORY BOARD LIAISON. ALLOWING PAUL CARR TO SIT IN ON THE CITIZEN'S ADVISORY COMMITTEE.

Planning Board Appointments of Dan Villa and Bert Bowers.

Councilman Countryman stated that applications would be asked for when applying for any Town position.

RESOLUTION 2008 – 17: Motion by Councilman Johnson and seconded by Supervisor Aubertine to appoint Dan Villa and Bert Bowers to the Town Planning Board. Four ayes. Motion carried. Councilman Countryman abstained from the vote.

Committee Reports – Councilman Schreib – reported that he has been corresponding with News Junky to get the Web Site on.

Charlie Mount – Sunday afternoon there is youth basketball held at the Teen Center in the back part of the Fire Hall.

Transfer Site – piston for the trash compactor, Dave Bourquin is looking at it tomorrow.

George needs kerosene for the salamander heater to keep the trash compactor warm while operating. If the hydraulics get cold the machine does not work properly. Something different will have to be done for next year. At this time the Board will direct George to purchase kerosene, when needed from Dick's Market.

New Business

Letters at Public Hearings – It has been suggested by Attorney Gebo to take the name, address and date of letter and submit that information into the minutes of the next Public Hearing for the Wind Law.

Councilman Johnson was adamant that the letters should all be read and that the meeting should be conducted exactly as the first one was. Letters read first and then accept public comments. We should stick with the original format.

RESOLUTION 2008 – 18: Motion by Councilman Schreib and seconded by Councilman Countryman to have the fee for the Transfer Site Permits remain at \$30.00 (thirty dollars) for 2008. Five ayes. Motion carried.

Transcriber for Public Hearing – It has been suggested that the second Public Hearing for the Wind Law be kept with the original format and done exactly the same way as the first one. There will be a transcriber.

ADP – our way of doing payroll is changing. The Town will now be using a payroll service, ADP. This service will lower our fee for Sovie and Bowie and will come out of the Bookkeeper's Budget.

Privilege of the Floor

Dawn Munk – Who is on the Citizen Advisory Committee? Councilman Johnson responded by giving the names of Paul Carr, Norm Ahlheim, Deanne Scanlon was initially put on but she opted not to, Bert Bowers, and Sue Warner.

Donnie Bourquin – will the Town Board be accepting letters until the 31st of the month? The letters will be recorded and referenced and be part of the record.

Motion amended by Councilman Schreib to have the Public Hearing for the Extension of the Wind Farm Moratorium at the Village Office Monday January 28, 2008 at 6:30 p.m.

Janice Comins - Is the transcriber paid by the hour? Councilman Countryman responded by stating that she is paid \$450.00 for an arrival fee, 48.5 cents per mile, and \$6.50 per page of transcribed material.

Joyce Gould – some people had submitted very lengthy letters to be read at the Public Hearing, she feels that if the people are present maybe they should read the letters themselves. They could probably even summarize. Some of the letters took more than 10 minutes. Councilman Johnson stated that some people do not like to speak in Public and it is important for the Citizens of the Community to be heard.

Larry Comins – Objects to Paul Carr being involved with the Board at all, there is a conflict of interest. He has 12 pieces of property on County Route 179, Logan Properties. He also feels that the voting should be left to registered voters only. We are allowing carpetbaggers to come here and tell us what to do. There is no way a person who owns a little piece of property on Point Peninsula, who lives in Syracuse and votes on their problems in Syracuse, should not be able to come here and tell us what we are going to do in the Town of Lyme. He feels the Town Board is going about it all-wrong with the survey. It should be only, strictly the registered voters in the Town of Lyme. You've got four or five people living in a cottage and they all got surveys and got their opinion put in. This is a very, very poor deal, very poor deal. Paul Carr should not be involved in any way at all because he represents three or four big builders right here on 179 that don't want wind towers on the opposite side of the road. If he has to he will take a law suit against the Town!!!

Julie Gosier – would just like to say that she thinks someone from the Board should contact Norm Ahlheim tonight and let him know that he is on that committee. He came to her after the Public Hearing on Saturday and thanked her for giving him the information because he was not aware he was on a committee.

Scott Discount – anybody who pays taxes here should have a voice.

Bruce Kingsley – feels the Town Board and Planning Board are confirming all his suspicions that the Board is bias against windmills. Warren Johnson, Paul Carr, Ahlheim, Sue and Bert. All those people live on Point Salubrious

or Three Mile Point. Supervisor Aubertine intervened and said that Bert Bowers lives in the Village of Chaumont. One time Bruce came to the Planning Board Meeting and started on the laws and he was making comments but nobody ever called him up and he is for windmills. We all know that Paul Carr is for windmills as long as they are in somebody else's county. There is an individual on the Board, Warren Johnson, who made a comment, how would you like to live on Point Salubrious and look to the West and have to look at windmills. He doesn't think that it is proper for an elected official on the Board to make that kind of comment.

Scott Discount – feels that the Board listened to what the survey said and if you read the survey properly you will see that the constituents who it represents, have said loud and clear nobody wants to live near them, no matter where they live. It's pure numbers, 459 said that they said no, no set backs, not near the water, 459 out of 800.

Janice Comins – Asked the Board members who are for and who against windmills. Mark Gebo suggested that you should not vote until it is your time to vote and it isn't time to vote yet. Warren stated that he is for wind in the right places.

Charlie Mount – Why wasn't Sue reappointed as ZEO? The Board answered by saying that they want to review the possibilities. Superintendent Aubertine answered by saying she is not being fired, the Board has some things they need to review. It doesn't mean she might not be reappointed, the position is open. There are also some budgetary items that need to be reviewed.

Scott Discount- Will you be discussing Sue's reappointment and contacting people she has recent contact with to find out how she has interacted with the people. Are you taking feedback in any form?

Bruce Kingsley- Second topic, Ridgeviewtel. It is his understanding that Ridgeview started out to have a transmission signal from Delles Building and they opted to go to Sackets Harbor. Can the Town Board elaborate on why they went there rather than Lyme Central? Councilman Countryman stated that the Board has heard nothing recently.

Chuck Munk – Asked the Board what happened to the Chicken Factory. Councilman Johnson stated that they were offered a better deal with the Industrial Park Zone. Mr. Munk said he had heard there was an issue with how quickly the Town could move and Mr. Morris had a few problems with the Planning Board.

Councilman Countryman made a motion to adjourn at 9:40 p.m.

Respectfully submitted,

Kim Wallace