

**June 10, 2020
Town of Lyme
Regular Monthly Meeting 6:30 P.M.**

Call to Order:

Supervisor Aubertine called the regular monthly meeting to order at 6:30 p.m. opening the meeting with a prayer and the Pledge of Allegiance.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilwoman Gosier, Councilman Terry Countryman, Councilman Villa, Town Clerk Ariana Henderson and Pat Weston (via video).

Privilege of the Floor

Peter Rogers: Mr. Rogers came to address an issue that has continued in the Town for a long time. He is concerned with the property maintenance of some of the properties in the Town. He believes that they are eye sores for the Town of Lyme and looks very bad. The four properties that were specifically mentioned included

- 1.) A property on 12E on the way to Three Mile Bay next to New Cedar Grove cemetery
This property has three unlicensed vehicles, turkeys and chickens in the road, and their trash flies into the cemetery which is insulting for anyone who has family/relatives buried in the cemetery.
- 2.) A property on County Route 8
There is a collection of pallets in their yard which are stacked as high as the house. They also continue to have loose farm animals roaming in the road causing a hazard to those that travel on County Route 8. They also have a collection of trash in their yard.
- 3.) A property on County Route 5
There is trash piled everywhere on this property. It looks more like a junk yard than a house.
- 4.) A property on 12E next to the Three Mile Bay Cemetery
Again there is trash piled everywhere on this property. It looks more like a junk yard than a house.

Supervisor Aubertine stated that there is a NYS Maintenance law that can be enforced by ZEO/CEO Jim Millington. Supervisor Aubertine stated he asked Mr. Millington 2 months ago to enforce the law and he refuses to. Councilwoman Gosier agreed with Supervisor Aubertine and said it can be enforced by Mr. Millington. Councilwoman Gosier stated that Mr. Rogers could google the NYS Maintenance Law and it is very specific. Supervisor Aubertine thanked Peter Rogers for coming and expressing his concerns. The Board will be sending the Planning Board instructions to complete a property maintenance law.

Supervisor's Report

Resolution 2020-63: Councilman Villa made the motion to approve the May Supervisor's Monthly Financial report; Councilwoman Gosier seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

Pat Weston was present by video to answer any questions anyone may have. Supervisor Bourquin stated that NYS restored funds for CHIPS and PAVE NY. The Board thanked Pat for mowing the Three Mile Bay Cemetery. Councilman Villa asked why some of the sponsorship tags in Three Mile Bay were missing. He feels like Three Mile Bay gets treated as 2nd class citizens. It is inappropriate for the flags in the Village of Chaumont to all have sponsorship tags and the Three Mile Bay flags don't. Pat Weston stated that the banners were damaged in the wind and never replaced. He will look into which banners are missing so they can be replaced.

Clerk's Report- May 2020

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,922.90; Total State County & Local Revenues: \$3,959.90, Total Non – Local Revenues: \$37.00.

Audit of the Bills (Abstracts #11 & #12)

Resolution 2020-64: Deputy Supervisor Bourquin made the motion to approve Abstract #11 in the amount of \$9,005.22; seconded by Councilman Countryman; all were in favor and the motion was carried.

Resolution 2020-65: Deputy Supervisor Bourquin made the motion to approve Abstract #12 in the amount of \$132,583.32; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Approval of the May 13, 2020 Minutes

Resolution 2020-66: Councilman Villa made a motion to approve the May 13, 2020 Minutes; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Committee Reports

Assessor's Report:

There was no Assessor report.

Municipal Water Board Report:

There was no Water Board Report.

Planning Board:

There was no Planning Board Report.

ZBA:

There was no Zoning Board Report.

Youth Commission:

Youth Commission met and decided to wait on holding any Youth Sports Programs. They are following the Governor's guidelines and regulations. The Youth Commission would like to put up

the soccer nets kids to use over the summer. The Board agrees that the nets can be installed and signs will be put up stating social distancing is required when using the fields.

ZEO/CEO Report:

Councilman Villa stated that some of the signs have been taken down in the Town but it is hit or miss. He wants Mr. Millington to continue to enforce the Sign Law. Supervisor Aubertine did state he saw Mr. Millington unloading signs from his car.

Zoning Board of Appeals (ZBA):

There was no report from the ZBA.

Clerk Henderson reported that she set up a Zoom meeting for the ZBA on June 17th.

Councilman Gosier stated that the Heritage Center is available for meeting and it is a large space.

TMB Cemetery:

Councilwoman Gosier reported that there has been activity putting foundations under stone and repairing headstones. It is always an ongoing issue with stone falling off foundations because they weren't done properly. The foundation should be put at least 4 feet into the ground past the frost line and then the stone will not be affected.

New Business

Dog Control IMA Renewal:

Supervisor Aubertine stated that Cape Vincent, Brownville, and Clayton inter-municipal dog control agreement needs to be renewed every 2 years. Councilman Gosier would like to make a notation that we are in favor of bringing Betsy Rings salary up to what Amy Funk was making. Councilman Villa stated that he has not seen any dog reports lately. He said he would like to see those reports.

Resolution 2020-67: Deputy Supervisor Bourquin made a motion to accept the Dog Control IMA as written; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Noise Complaints:

Supervisor Aubertine reported that there was complaints about noise in the Town of Lyme. Councilman Villa asked if the State had a noise ordinance that could be followed. Supervisor Aubertine stated that there is no State law for noise. The Town could create a law for noise. The Board discussed who would enforce the law, the police or our zoning enforcement officer. Councilman Villa stated that we should look into other Town and Village laws. He suggested we let the planning board research it and look at other local laws.

There was also a resident that complained about a drone flying over her home. Supervisor Aubertine stated that drones are eerie. They have FFA laws drones have to abide. Supervisor Aubertine suggested having the Planning Board look into a drone law. He stated that the planning board was also directed to draft a property maintenance law, septic law, and sign law.

Resolution 2020-68: Councilman Villa made a motion for the Planning Board to look into drafting a noise ordinance and drone law; seconded by Councilman Countryman; all were in favor and the motion was carried.

Eagle Scout/Cemetery Cleanup:

Darrell Main the owner of Cleveland Funeral Home contacted the Town to see if they would approve his son Zachary to clean up the cemetery on County Route 57 to earn his Eagle Scout. Councilman Countryman stated that the Eagle Scout normally presents the Board with a presentation. Councilman Villa agreed. Councilwoman Gosier stated her concerns that Darrell and his son need to use the proper tools and that Zachary will need adult supervision while working on the cemetery.

Resolution 2020-69: Councilwoman Gosier made a motion to allow Zachary Main to complete his Eagle Scout project with the understanding that it is done with the proper tools adult supervision; seconded by Councilman Countryman; all were in favor and the motion was carried.

Re-Opening Office:

There was a discussion between the Board and Town Clerk on when the Office should re-open. Deputy Supervisor Bourquin stated he believed that Clerk Henderson should decide. Pat Weston's suggestion was that the residents use the court room door for entry and the regular side door will be locked. It will be by appointment only to reduce contact with the public. The residents will be encouraged to continue using the drop box and mailing in payments. The court room will be sanitized after each appointment. Clerk Henderson thought Pat Weston's plan was a great idea. She will update the website with the Office's new procedures.

Enhanced V 10 Upgrade:

The decision to upgrade the Enhanced Program was tabled.

Assistant ZEO Position:

Supervisor Aubertine stated that we budgeted \$6000.00 for an assistant ZEO. COVID-19 through a curveball in the mix but Supervisor Aubertine has someone interested in applying for the position. He asked the Board if they wanted to advertise for the position. Jim Millington told Supervisor Aubertine he didn't want to train someone until next year. Councilwoman Gosier believes that it is the Board decisions to appoint or not appoint a ZEO assistant. She doesn't think it is a situation where Jim needs to train him. He would have specific duties. The Board decided to continue the discussion in executive session.

TMB Mowing:

Supervisor Aubertine stated we had a complaint from a resident that the cemetery was not mowed on Memorial Day. The resident stated in her email "It is disgraceful for ANYONE to leave any headstones covered in clippings, regardless of poor reasoning." Both Supervisor Aubertine and Councilwoman Gosier contacted James from KLA Property Maintenance regarding this issue.

It was determined that he did mow it Memorial Day. Terry Countryman put the flags out at the cemeteries before Memorial Day. When Supervisor Aubertine spoke with James he expressed he concerns that he thought Julie would contact him when it needed to be mowed. He stated it would be very difficult to fit us in the schedule without notice. The highway Superintendent went down and mowed but had no time to weed whack. Supervisor Aubertine stated he asked James to mow once a week and put us on his normal schedule. He asked James to clean up the cemetery before tonight's meeting. The cemetery has not been cleaned up at all. Supervisor Aubertine was very disappointed. Councilwoman Gosier stated that he is not returning her phone calls. There was further discussion on how to resolve the issues regarding the mowing at the Three Mile Bay Cemetery.

STAT Communication Quotes:

Councilman Villa stated that more meetings will need to be videoed going forward. He stated Steve Weed's videos and services have been great but the Town was looking to be more cost efficient. They received two quotes from STAT communications, which included various features. Deputy Supervisor Bourquin stated that Pat Weston did not want to do the wiring, if we decided to purchase cameras for the court room. Supervisor Aubertine stated it would be a difficult job. Steve Weed stated that he could mount a camera that could be hooked up remotely and he could do the same thing as STAT purposed. Councilman Villa would like a proposal from Steve Weed and the Board tabled the decision until then.

Engineer Solicitations for Solar Projects:

Supervisor Aubertine stated The Town has received an engineer solicitation from Barton & Loguidice, D.P.C for the Riverside Solar Project. This is a project that will be happening in our Town and Brownville by the company Geronimo. Councilman Villa asked what value it will it bring to the Town to have them as our engineer. Supervisor Aubertine understood what he was saying, why worry about what the engineer would do because the project will happen anyway because it is Article 10. He also said he would want the Town to intervene as much as possible for the Town Residents. There was a discussion regarding the Article 10 process and if having our own engineer firm would benefit the Town or not. The Board agreed to have Executive Assistant Robin Grovesteen draft letter to send out letters to various engineer firms to put bids in to represent the Town of Lyme Riverside Solar Project.

Resolution 2020-70: Supervisor Aubertine made a motion to have Robin Grovesteen draft a letter to send out letters to various engineer firms to put bids in to represent the Town of Lyme Riverside Solar Project; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

SEQR Review:

Victoria Regan from Bernier and Carr filled out the SEQR form and Joseph Russell's office sent over the resolution setting under SEQR and assuming lead agency status for Veteran's Memorial Public Park. The following resolution was adapted.

**RESOLUTION SETTING STATUS UNDER SEQR AND
ASSUMING LEAD AGENCY STATUS**

At a regular meeting of the Town Board of the Town of Lyme held at the Town Offices 12175 NYS Route 12E, Chaumont, New York 13622, Jefferson County, New York, at 6:30 P.M. on June 10, 2020, there were:

Present: Scott Aubertine, Supervisor; Don Bourquin, Councilmember; Julia Gosier, Councilmember; Terry Countryman, Councilmember; Daniel Villa, Councilmember

WHEREAS, the Town of Lyme, hereinafter referred to as the "Town", is proposing to create a public park including but not limited to docks, walkways, site lighting, parking, shoreline protection structures, an information kiosk and utilities placed for future use and possible expansion of the park, a kayak launch, a one-way driving loop, additional parking, ADA parking, pavilion, bathroom, picnic area, playground, additional walking paths, additional retaining walls, and landscaping ("Project"); and

WHEREAS, the Town Board of the Town of Lyme must evaluate all proposed actions submitted for the Project and consider any impacts it may have on the environment in light of the State Environmental Quality Review Act and the regulations promulgated thereunder (SEQR); and

WHEREAS, the involved agencies for the Project include the Dormitory Authority of the State of New York, New York State Department of State, New York State Department of General Services, New York State Department of Transportation, the New York State Department of Health, the New York State Department of Environmental Conservation and the Office of Parks, Recreation and Historic Preservation; and

WHEREAS, the Town Board of the Town of Lyme desires to serve and act as the lead agency for the purposes of SEQR; and

WHEREAS, Part 1 of a Full Environmental Assessment Form dated June 10, 2020 has been prepared by the Town's engineer and a copy has been filed with the Town Clerk.

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Lyme that:

1. The foregoing recitations are incorporated herein and made a part hereof as if fully set forth hereafter.
2. The Project is classified as a Type 1 action for the purposes of SEQR requiring a coordinated review.
3. The Town Board hereby declares lead agency status for the purposes of the SEQR review for the Project.
4. The Town's attorney is hereby directed to forward Part 1 of the EAF to the other involved agencies together with notice that this Board desires to serve as lead agency and seek the consent thereto.
5. This resolution shall take effect immediately.

Resolution 2020-71: Supervisor Aubertine made a motion to accept the SEQR report as submitted by Bernier and Carr and accept the Resolution with changes stating “possible expansion” and to eliminate the “heritage center”; seconded by Councilman Villa; all were in favor and the motion was carried.

Old Business:

There was no old business.

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 2020-72: Supervisor Aubertine made the motion to enter Executive Session regarding (6) Medical, financial, credit or employment history of a particular person or corporation, or relating to appointment, promotion, demotion, discipline or removal; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Return to Open Meeting

Resolution 2020-73: Councilwoman Gosier made the motion to enter Open Meeting at 9:32 p.m.; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Resolution 2020-74: Deputy Supervisor Bourquin made the motion to advertise the Assistant ZEO position; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Adjournment

Resolution 2020-75: Deputy Supervisor Bourquin made the motion to adjourn; seconded by Councilman Countryman; all were in favor and the motion was carried; meeting was adjourned at 9:35 p.m.

Respectfully Submitted

Ariana Henderson
Town Clerk