

Town of Lyme
March 10, 2010
Regular Monthly Meeting of the Town Board
6:30 P.M.

Supervisor Aubertine opened tonight's meeting with a Prayer and the Pledge of Allegiance.

Attendance at tonight's Meeting: Supervisor Aubertine, Councilmen Anne Harris, Donnie Bourquin and Mike Countryman, Assessor Marsha Barton, Highway Superintendent Pat Weston, ZBA Member Harry Staudenmayer, Bookkeeper Tom Bowie and approximately 10 others.

Supervisor's Report

RESOLUTION 2010 – 28: Motion by Councilman Countryman and seconded by Councilman Harris accepted the February 2010 Supervisor's Report as presented by Bookkeeper Tom Bowie. Four ayes. Motion carried.

Privilege of the Floor

Jefferson County Legislator Bob Thomas: At the last County Legislator's Meeting a Resolution was passed to keep the State Parks open, where it had been proposed that they close, due to the State's current economic climate. The State Parks named to close were Eel Weir, Mary Island, Canoe-Picnic Point and the Sackets Harbor Battlefield Historic Site in Jefferson County; Keewaydin State Park would have limited use. It was stated that the closures would have a significant negative affect on the County's tourism industry, on which Jefferson County is heavily dependent. Given the difficult economic times, closing these parks, which provide a reasonable-cost vacation alternative, is especially problematic.

The Board of Legislators is cognizant of the poor financial condition of the State of New York and understands its need to implement cost saving measures to balance its budget and provide needed relief to the taxpayers, it also believes that these closures are shortsighted in that the savings appear to be few and the reduced economic activity could be significant.

Privilege of the Floor

Keith Pitman – President and CEO of Empire Wind Company

Mr. Pitman explained how Empire Wind was a Community focused company, developing projects that will distribute funds fairly and reasonably. Municipalities have “home rule” and the local people should be able to decide on their future as much as possible and what is appropriate for the individual communities.

Empire Wind Company has no projects fully permitted at this time, nor have they created any winds farms to date.

Officer’s Reports

Clerk’s Report

Total State, County and Local Revenues: \$7,703.50

Superintendent’s Report – Pat Weston

The Highway Department filled an area of the Swallia Road that had washed out, and continued with some added maintenance due to the poor condition of the road.

RESOLUTION 2010 – 29: Motion by Councilman Countryman and seconded by Councilman Harris approving Abstract #5 as presented, in the amount of \$1,066.20. Four ayes. Motion carried.

RESOLUTION 2010 – 30: Motion by Councilman Bourquin and seconded by Councilman Countryman approving Abstract #6 as presented, in the amount of \$65,260.37. Four ayes. Motion carried.

Approval of Minutes

RESOLUTION 2010 – 31: Motion by Councilman Countryman and seconded by Councilman Bourquin approving the Meeting Minutes of February 10, 2010 Regular Monthly Meeting as written. Four ayes. Motion carried.

Department Reports

Assessor's Report – Marsha Barton:

The exemption deadline was March 1st. The STAR exemption is different than all other exemptions and that can be accepted up until Grievance Day. A few of the Enhanced STAR renewals have not been received as of yet. The Assessor's are making reminder phone calls to those individuals.

Jefferson County will be changing its computer program from a replication program to a terminal service program. This change will allow the County to save from \$18,000.00 to \$20,000.00 in licensing fees. The program will also allow photos to remain with the property data record.

Municipal Water Board – Marsha Barton

As there is much information contained in Marsha's Report that people may want to read in its entirety, this report will be attached to the end of these Minutes.

Three Mile Bay Cemetery Report – Julia Gosier

Julie reported that she sold a two-grave lot for \$500.00 Luck Brothers are back to work here and are working on the entrance to the cemetery. Don't forget we need to hire someone to mow the Three Mile Bay Cemetery. If it is going out to bid, it must be advertised now so bids can be opened at the April meeting.

Planning Board Report – Paul Norton:

The Planning Board continues to work on the comprehensive plan; they currently have five Chapters completed. There has been much time and energy spent on this document and they are proud of what they have accomplished, thus far. They are in the process of posting a link on the Town web site so the public can review the first five chapters.

February 2010 Police Report – Written Report From Leo Wilson

Youth Committee Report – Charlie Mount:

The Youth Basketball Program has come to a close.

They are shooting to have the ball fields done the last week of April. Completion of the project will depend on the number of volunteers they will have helping with field preparations.

The Teen Center program is picking up, numbers at each are increasing favorably.

Charlie is now beginning to look into the Summer Recreation Program.

ZEO Report – Written Report by Zoning Enforcement Officer Jim Millington:

February 2010:	Zoning Permit Applications	2
	Site Visits	3
	Correspondence / Letters	1
	Investigations	3

Other Actions:

- Cell Tower Antenna Element Replaced
- New York Land Quest Development Project
- Galloo Island Corp Dredging
- Referral Illegal Road Sign

New Business

Superintendent Weston has looked into the cost of a small storage building for housing ball field equipment at the new fields on the 12E property. Prices have ranged from \$800.00 to \$1500.00. It was suggested that Home Depot has a kit for an 8 x 8 building for \$499.00. Pat will check into that before making a final purchase.

Insurance Quotes:

This year Haylor, Fryer and Coon approached the Town in regard to our Town's insurance. A proposal was submitted by Bob Cantwell and his coverage and rates were very competitive, almost being identical to what Fuller Insurance offers. The Board felt that the Town should maintain its coverage with Fuller because they have served us well over the years.

RESOLUTION 2010 – 32: Motion by Councilman Countryman and seconded by Councilman Bourquin approving Fuller Insurance Company as the Town’s Insurance Carrier for the 2010 – 2011 fiscal year. Four ayes. Motion carried.

Old Business

DANC Water Agreement

RESOLUTION 2010 – 33: Motion by Supervisor Aubertine and seconded by Councilman Countryman, be it resolved that the Town of Lyme Town Board does hereby grant Supervisor Aubertine permission to sign the Water Service Agreement with DANC for Town Water Districts #1, 2, 3, 4, and , pending review and recommendations from Attorney Mark Gebo. All Town Board Members were in agreement and the Resolution was thereupon declared duly adopted. Four ayes. Motion carried.

Zoning Ordinance Review

Supervisor Aubertine – Since approving the Code Enforcement position, Supervisor Aubertine has received many opinions concerning this position, both pro and con.

It is Scott’s own observations that have come to light which is leading him to request that the Town Board not rush into the establishment of this position. He feels that it is important to take the time to update the Zoning Laws, prepare and update applications, and Complaint and Variance Forms. Fee schedules will also need to be considered along with taking the necessary steps to automate our system for handling the additional data.

In addition, a major observation and concern is the logistical layout of the Town Offices. The traffic being generated by residents seeking Assessment, Zoning, Water and Village answers, not to mention the usual transfer site permits, fishing licenses and so forth, has created, at times, mass confusion in the office. As it is now, zoning paperwork is being misplaced, through no ones fault, but due to the enormous amount of traffic coming into one small reception area, and the lack of a zoning deputy or secretary designated to assist the zoning officer.

Supervisor Aubertine believes it would be wise to develop a floor plan or renovation layout that would create separate entrances to the Village, Assessor and Code Enforcement offices. For these reasons, I think it would behoove the Town Board to slow down, take some time and do it right.

Supervisor Aubertine is asking the Town Board to TABLE any action on the Code Enforcement position until they feel they are ready to proceed.

Councilman Countryman would like to rescind the resolution of having a Code Enforcement Officer.

Councilman Harris feels that the Board needs to do more research.

Councilman Bourquin stated that there is not enough room in the Municipal Building, we need better arrangements.

Supervisor Aubertine stated that Code Enforcement will need three times the work that is being done through the Zoning Office right now and they will also be the added expense of a secretary and an Assistant Code Enforcement Officer. They need to think this over long and hard before making any final decisions.

Scott Discount – Would love to see the people around his property have the zoning enforced. If properties are not up to code, fines imposed upon the offenders would bring revenues to the Town.

Harry Staudenmayer suggested that there are certain advantages to having the Code Enforcement done locally.

The new Zoning Law will have to contain items pertaining to Code Enforcement.

RESOLUTION 2010 – 34: Motion by Councilman Harris and seconded by Councilman Bourquin TABLING any action of the Code Enforcement position until the Town Board feels they are in a better position and have done all their homework on the subject. Four ayes. Motion carried.

RESOLUTION 2010 – 35: Motion by Councilman Countryman and seconded by Councilman Bourquin to approve the Planning Board, the Zoning Enforcement Officer, two ZBA Members and with Councilman

Harris as the Planning Board liaison; to review the Town's existing Zoning Ordinance. The Planning Board will be used as an advisory committee. Four ayes. Motion carried.

Correspondence

- **Annual Local Government Conference** – Thursday April 1, 2010 at JCC.
- **Land Use Planning Workshop – Local Government's Role in Strengthening the Future for Agriculture** – Wednesday, March 31, 2010 6:30 – 8:30 p.m. – Cornell Cooperative Extension Conference Room, 203 North Hamilton Street, Watertown.
- **Smart Management for Small Communities Conference** – Tuesday, April 20th – Thursday April 22nd Hosted by: Environmental Finance Center – Syracuse University. The conference will be held at Minnowbrook Conference Center in Blue Mountain Lake. Register by calling 315-443-4445 or online at efc.syracusecoe.org
- **Fire Department Conference** – Hosted by Scicchitano and Pinsky, PLLC – The Law Firm that represents over 250 fire departments, fire districts and ambulance services throughout New York. Conducted as part of the 2nd Annual Fire Department Law and Management Conference at the Turning Stone Casino and Resort, March 27, 2010.
- **Green Infrastructure Workshop – Stormwater Management Challenges in Upstate New York** – Monday April 12, 2010 at RIT.
- **Wind Correspondence Letter Acknowledgements** – Supervisor Aubertine stated that he would not be reading letters at Town Meetings; they will only be read at Public Hearings. Letters were submitted by the following:

Julia Gosier – Urged the Town Board to start working on revisions to the proposed wind law as soon as possible. It is essential that the Town clear the way for individuals who want personal wind turbines.

Judy Saiff Sherman – Against wind development.

Bruce Kingsley – Interested in having the Town Board make a decision on privately owned wind turbines. Mr. Kingsley feels that the Town is infringing on his liberties and disrupting his right to life.

Resolutions and Motions

2010 Mowing specifications for the Town of Lyme's six abandoned cemeteries and five ball fields.

RESOLUTION 2010 – 36: Motion by Councilman Countryman and seconded by Councilman Harris advertising for bid proposals for the 2010 mowing of the following facilities:

- *Abandoned Cemeteries (6) - Mowed, trimmed and cleaned up by Memorial Day. Mowed and trimmed once every two weeks thereafter until September 15th.*
- *NYS Route 12E Ballfields (5) and Morris Track Ballfield and Grounds – Mowed and trimmed twice weekly (preferably on Mondays and Wednesdays before 4 pm) from May 1st – August 1st. Once weekly thereafter until September 15th.*
- *Contractor must supply own equipment, maintenance and fuel. Proof of Liability Insurance must be filed with the Town Clerk.*

Please call 649-2788 to arrange to be shown the facilities to be mowed. Bids must be received no later than 4 pm, April 14, 2010 by the Lyme Town Clerk at the Town Offices located at 12175 NYS Route 12E, Chaumont, New York 13622.

Four ayes and the Motion was carried.

Privilege of the Floor

Bruce Kingsley – The owners of the Lucky Star Ranch are sponsoring an “Antler Shed Search”, April 3rd – 10 am – 3 pm. They are looking for 30 kids. There will be a BBQ and door prizes.

The Town Board will discuss the review of the Wind Law next month after Councilman Johnson is back from vacation.

A Motion was made by Councilman Countryman and seconded by Councilman Harris to adjourn tonight's meeting at 9:40 p.m.

Tonight's Minutes are being respectfully submitted by

*Town Clerk
Kim Wallace*