

July 10, 2019
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 Jones, Councilman Villa, Town Clerk Ariana Mattraw, Highway Superintendent Pat Weston, Legislator Bill Johnson, Clerk to the Supervisor Robin Grovesteen, Water Board Chair Marsha Barton, Gary Stinson, Jill Sheedy, Dan Sheedy, Tom Strejleau, David Shortsleeve, Kerry Kyle, Glenn and Josephine Goldberg, Dawn Comins, Paul Shortsleeve, Warren Johnson, Dallas Sloat, George Cummings, Toni Crupi, Diane Crupi, and Gunther Schaller.

Privilege of the Floor

Warren Johnson: Mr. Johnson would like to amend his suggestion to name the park after Kim Wallace and name the park "Veteran's Park." He believes that it would be an honor to the Veterans who have served that live in the Town of Lyme. Another concern that Mr. Johnson brought to the Board's attention is that his fire protection rating went from a 5 to a 9. This affects everyone who lives on the Point Salubrious. He filed a complaint because nothing has changed to cause this significant increase in rating and his insurance rates have now increased. Mr. Johnson also reminded Legislator Bill Johnson that County Route 125 needs to be repaved. This has been an issue for quite some time and he would like to see it done as soon as possible. Supervisor Aubertine suggested that we name the park Memorial Park. Mr. Johnson stated is he named it after veterans he would receive more funding and grants. Supervisor Aubertine asked the Clerk to the Supervisor Robin Grovesteen what her thoughts were on Mr. Johnson's suggestion. Ms. Grovesteen stated that it has to be legitimate Veterans Park to receive funding with possible flags and statues at the entrance for example.

Gary Stinson-6938 Klock Road: Mr. Stinson is discussing the 2/10 mile of Klock Road that the Town owns. By definition Klock Road can't be a private road according to Mr. Stinson. Attorney Russell stated several times that the Town of Lyme owns the realty. Mr. Stinson stated that because we own that realty, we own the culvert. Step one would be to fix the culvert and step two would for the Town of Lyme Highway crew to deliver stone over the hill on Klock Road. Supervisor Aubertine stated that there could be exposure to the Town if we do replace the culvert. Councilman Villa stated that the road is a private road and would like to find out if we replaced the culvert in the past. Mr. Stinson stated that by definition Klock road is not a private road. As taxpayers he would like to see the road maintained by bringing in one load of stone per year by the Town. Deputy Supervisor Bourquin stated that we may be opening a can of worms by maintaining it because it may become a seasonal use highway and the Town would then have to plow the road. Pat Weston stated if he worked on this road he would have to work on every private road in the Town. He is very concerned with having to repair and maintain this road. Mr. Stinson stated that this situation is different from other private roads because we own 2/10 of a mile of the road. It would be sensible to maintain our section of the road so no one gets hurt on

our property. Supervisor Aubertine suggested that we have a gate with a key at the end of Klock road so that no one can enter the road in the winter. This would prevent the liability the Town may face in the future. Mr. Stinson agreed that this would be a good suggestion. Pat Weston voiced his concern that the Klock Road residents will want something more from the Town each year. Jill Sheedy another Klock Road Resident spoke and said that if we put it in a resolution exactly what the Town would like to do on Klock Road it shouldn't be an issue.

Councilwoman Gosier made the motion to replace the culvert with as much stone as Highway Superintendent Pat Weston feels necessary to keep Klock Road safe. The motion was not seconded; none were in favor; motion NOT carried.

There was further discussion regarding the Klock Road. The Town Board decided to send information regarding Supervisor Aubertine's suggestions to Attorney Joseph Russell.

Resolution 2019-92: Supervisor Aubertine made the motion to send his compromised suggestion to the lawyer; Councilman Jones seconded the motion; Aubertine, Jones, and Gosier AYE; Villa and Bourquin NAY; Motion carried.

Jefferson County Legislator Bill Johnson: Mr. Johnson reported that the County passed the 2019-2020 Jefferson County College Budget for the total budget \$29,443,000.00 the counties share was \$5,262,069.00. The college gets the rest of their budget from the State.

Supervisor's Report

Resolution 2019-93: Councilman Villa made the motion to approve the Supervisor's Monthly Financial report; Councilwoman Gosier seconded the motion; all were in favor; motion carried.

Supervisor Aubertine was concerned because we are over budget in water operator personal services 1, 2, 4, and 5. Pat and Marsha both stated that nothing has changed. This is the first time the budget has been done this way so maybe that is why. Marsha stated that she was going to check with Cathy to see if everything was allocated correctly.

Highway Superintendent's Report

Pat Weston reported that highway department has been repairing South Shore road. He is in desperate need of an excavator to clean out culvert pipes. He would like to rent one if he could get approval from the board, and possibly purchase one in the future. Supervisor Aubertine asked when the State would mow the side of the road on 12E. Pat stated it is usually mowed around the fourth of July. Supervisor Aubertine would like the road mowed before the Kickin' Ash BBQ. Pat said he could do it before the event to prevent any safety issues. Councilman Villa wanted to go on record again and state he thinks it is inappropriate for the state to hold our money hostage until we sign a CHIPS contract for the following year.

Clerk's Report- June 2019

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,565.60; Total State County & Local Revenues: \$3,711.60, Total Non – Local Revenues: \$146.00

Audit of the Bills (Abstracts #13 & #14)

Resolution 2019-94: Deputy Supervisor Bourquin made the motion to approve Abstract #13 in the amount of \$1089.95; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Resolution 2019-95: Deputy Supervisor Bourquin made the motion to approve Abstract #14 in the amount of \$119,322.18; seconded by Councilman Villa; all were in favor and the motion carried.

Approval of the June 12, 2019 Minutes

Approval of the June 12, 2019 minutes was tabled so the board could have more time to review them.

Committee Reports

Assessor's Report:

Deputy Supervisor Bourquin asked if anyone was going to go to Supreme Court this year and Assessor Marsha Barton stated she thinks there is one person but they have until July 30th to submit the court paperwork. Marsha reported that we had a \$3,460,533.00 dollar increase to the tax roll and the equalization rate is still 100%. Everyone with still get their full exemptions.

Municipal Water Board Report:

Marsha stated Pat could elaborate the mixer problem. Highway Superintendent Pat Weston stated every time the mixer gets turned on it is flipping the breaker. Pat was quoted \$2500.00 for someone to come to diagnose the mixer problem. That price does not include the repairs. The chlorine residual is down so we do need it fixed as soon as possible. Pat stated that he would climb up the tower himself to inspect the mixer. One other suggestion from Pat was for Gregor from Bernier and Carr to ask Pittsburgh Tank and Tower to come back and inspect and fix the mixer. It was working until they painted the water tower. Marsha will call Gregor to have him call Pittsburgh Tank and Tower. A letter has been mailed to the fire departments regarding the use of fire hydrants to fill resident pools. Supervisor Aubertine asked what the Water Board would like done about the problems with the Fire Department. Marsha stated Three Mile Bay is compliant with the procedures of the Town but Chaumont has not responded. Pat Weston stated that we do need to know when pools are being filled so when our water readings spike DANC in Dexter and Cape Vincent should be aware so they don't think we have a major water leak. A 3 to 5 day notice of pools that need to be filled should to be given to Pat Weston so that Bill Scarpicchi can be available. Supervisor Aubertine will call Fire Chief Fred Jackson to make sure he follows the Town procedures.

Planning Board:

There was no report from the Planning Board.

Youth Commission:

There were no questions on the Youth Commission Report.

ZEO/CEO Report:

Total Permit Receipts in June: \$840.00; Total RV Permit: YTD: \$1400.00; Total Permit Receipts YTD - \$4,431.00.

TMB Cemetery:

Councilwoman Gosier stated cremations have taken place and some lots have been sold. The longer we can put off the burials the better because the cemetery is so wet.

New Business

Bernier & Carr REDI Proposal:

Supervisor Aubertine stated that Gregor Smith of BCA Architects and Engineers had sent an email to him offering their services. Supervisor Aubertine read the email "We have been following the NYS Lake Ontario Resiliency & Economic Development Initiative. The state has made a commitment to help protect and adapt infrastructure, along with strengthening the region's economies. Based on what we have heard so far, it sounds like this funding is going to have a fairly quick turnaround time. One of the initial steps is to develop a "wish list" of projects that are needed to better position each community to handle high water conditions in the future and assist with the economic development. We welcome the opportunity to assist the Town with developing a list of projects for consideration. We can assist with narratives, conceptual drawings, and budgets to help put you in a better position for this funding. Please feel free to contact me if there is anything that we can do to assist you with this program." Deputy Supervisor Bourquin and Pat Weston attended the first REDI meeting. Pat said they discussed mostly structures that were being affected. Supervisor Aubertine submitted about 15 possible projects. One of his project suggestions were to put a bridge over the Isthmus. There is a meeting coming up on July 10th, at 10:00 am. The Board agreed to thank Bernier and Carr for the proposal and we may contact them at a later date.

STRU Law Committee:

Supervisor Aubertine reported that 13 people have applied so far for the Short-Term Rental Committee. The Board needs to discuss several things. Councilman Villa suggested the committee be made up of 5-7 people and that several other municipalities are going through the same process as we are now. He believes that issues with Short Term Rental are happening all over the state. The best idea that Councilman Villa found is anyone who purchases a permit would have to have someone who could respond to any issues with the Rental property within 30 minutes. In addition having a section on 2 people per bedroom is common and parking is an issue they are discussing. He believes Supervisor Aubertine should pick the committee members. Supervisor Aubertine would be interested in interviewing the candidates. Deputy Supervisor Bourquin believes the chairman of the planning board should be on the committee. Robin Grovesteen's idea was to have a registration form with regulations along with the zoning laws that they would have to follow. The registration form would be signed and acknowledged so they could be held accountable. There was further discussion on the Short Term Rental committee.

Resolution 2019-96: Councilman Villa made the motion for Supervisor Aubertine to pick a Co-Chairman to select people for a 7 member Short Term Rental Committee consisting of a planning board member, a member of the Town Board, people that support the law and people who are opposed to the Short Term Rental Law; seconded by Councilwoman Gosier; all were in favor and the motion carried.

Lyme Improvement League Tree Request:

The Lyme Improvement League asked for the Town of Lyme's help to fight an invasive pest killing the beautiful Ash Trees in the State. The cost is \$168.00 per tree. The organization was asking for a total donation of \$504.00 to treat 3 trees from the Town of Lyme. Councilwoman Gosier got a hold of her nephew who graduated from the school of forestry, he sent back 2 pages of notes from himself and his associates. The notes in summary state that it is not a onetime treatment and the treatment doesn't always work, another factor is that it is unknown how long the tree has been infected which also creates havoc on the treatment. If we or any group from the Town of Lyme would like more information on the Ash Trees someone from Forecon would be willing to do a presentation. Supervisor Aubertine was wondering if the Lyme Improvement League sent letters to everyone in the Town that owned trees. Councilwoman Gosier stated she thought they probably had considering there are more than 3 trees in the Town. One idea that was suggested was to get information out to people of the town about the trees. Robin Grovesteen stated the trees that Kathie Carr are trying to treat are healthy trees according to her methodology.

Resolution 2019-97: Councilman Villa made the motion for Councilwoman Gosier to contact her nephew to put on a presentation for the Town of Lyme to be educated on Ash Trees at the Copley House; seconded by Councilman Jones; all were in favor and the motion carried.

Town Wide Clean Up:

Councilwoman Gosier proposed her granddaughter's idea for a Town wide clean up to make it easier for the people to keep their properties maintained. There would be a permit form with a permit number, signature, address and a fee attached for each person who wanted to participate. The Town could pick a weekend and residents could get rid of most anything. We would need to have a list of items that would be acceptable and unacceptable. Councilman Villa lived in Watertown and the issue is some people would take advantage of the event. He also mentioned a continuing issue is that the transfer site people are still not getting stickers at the transfer site. This is making costs continuing to rise and this cleanup will cost the Town even more money. Deputy Supervisor Bourquin stated that there is no charge at the transfer site as it is besides some debris and furniture. There are several variables that would need to be discussed. Supervisor Aubertine would like Councilwoman Gosier and Deputy Supervisor Bourquin to come up proposal for next meeting.

Summer Recreation Request:

Supervisor Aubertine said director Stephanie Doney would like to take the Summer Recreation kids to the TI pool once a week. Councilman Villa is not opposed to funding the trips but there are several other variables involved like lifeguards and permission slips. As long as those precautions are taken the board agrees it would be a great idea.

Resolution 2019-98: Councilman Villa made the motion for the Town to pay to take the Summer Recreation group by bus to TI School to use the pool with the necessary safeguards in place; seconded by Councilwoman Gosier; all were in favor and the motion carried.

Resolution for South Shore Road Speed Limit:

There was a request for the speed limit on South Shore Road extension to be decreased to 15 mph from the Goldbergs and their neighbors.

Resolution 2019-99: Deputy Supervisor Bourquin made the motion requesting the speed limit to be 15 mph on South Shore Extension and 25 mph on the narrow part of South Shore Road seconded by Councilwoman Gosier; all were in favor and the motion carried.

Old Business:

Sawmill Bay Land Acquisition:

Deputy Supervisor Bourquin suggested planting trees in the fall, it is the best time of the year to do so. Councilwoman Gosier would like to see the boundaries of our property marked and make it accessible to the public. Pat Weston will contact Stewart Signs to see how much they will charge for a temporary sign for the new park. The sign should state "Welcome to our New Town Park." Robin Grovesteen stated she would also like to see the boundaries of the property marked. Councilman Villa would like to get a committee of people to get a plan for the Park. Supervisor Aubertine agreed. Robin Grovesteen stated there seemed to be an inherent promise stated from the original plan and the public should be involved. She stated that the Town said if the property was acquired that the Board would be going to the public again for their input. She wanted to remind the Board that the next stage of the grant she will be writing next year is about the design, development, and beginning implementation. She wants the Board to keep in mind if a committee is formed that may not reflect the ideas of the public. There are many considerations that need to take place before a committee is formed. The idea of a committee is premature. Councilwoman Gosier suggested to focus on making it accessible to the Public. Councilman Villa asked for the park benches to be moved to the new park when ball games are over so the public can use the park.

Parks Grant Appraisal:

Robin Grovesteen called Don Coon to ask what it would cost to get an appraisal of the New Park Property, he was quoted \$1200.00 to do a windshield appraisal. The \$1200.00 would also go towards the \$2500.00 full appraisal. She suggests we go ahead and use Don Coon as the appraiser.

Resolution 2019-100: Deputy Supervisor Bourquin made the motion to have the windshield appraisal done for \$1200.00 for the grant on the new park; seconded by Councilman Villa; all were in favor and the motion carried.

New York Leak Detection:

Robin Grovesteen reported that we will receive a report in a week from New York Leak Detection. Deputy Supervisor Bourquin said that the old block house may have been located and found several graves. New York State Leak Detection is going to produce a GPS map to show what they found. There was nothing on Bi-Centennial Park that would interfere with the activities we have had in the past or in the future. Councilwoman Gosier feels we should fence off the front side where people would drive into the Park to protect any of the graves. Another idea Councilwoman Gosier had was the Star team could practice diving and try and find the old stones that were pushed into the river. The Board agreed this was a great idea. Deputy Supervisor Bourquin stated there is a request from someone to buy a family plot at the cemetery to bury their family, there were many variables involved. Deputy Supervisor Bourquin will send her an email saying we will investigate it.

Online Privilege of the Floor

There was no online privilege of the floor.

Privilege of the Floor

David Shortsleeve: Mr. Shortsleeve asked what the current situation was on the Cumming's property. He had approached Jim Millington several months ago about the sewer and the number of trailers on their property. Supervisor Aubertine stated that one camper has been moved but due to the circumstances of Hospice coming for one of the family members the Zoning Officer Jim Millington gave the Cummings extra time to address the issues on the property. Mr. Shortsleeve wants the sewage and grey water issue addressed as soon as possible. He was present at the November meeting and was told this issue would be taken care of by December 1, 2018. Supervisor Aubertine assured Mr. Shortsleeve that something will be addressed. Supervisor Aubertine stated one of the biggest issues of his job is the zoning issues in the town.

Gunther Schaller: Mr. Schaller expressed his concerns about the procedures regarding the complaints on Short Term Rentals. He stated Peter Rogers complained about the Short-Term Rental unit located next to his home in September. The proper procedure would have been to bring it to the Zoning Officer who would bring it to the ZBA. That is not the procedure that took place. Again here tonight there is a zoning issue and it is brought to the Town Board not the Zoning Board. Mr. Schaller's main concern was "Why does the Board get involved in other entities that can take care of it such as the Planning Board or ZBA?" He also had input on the Town maintaining Klock Road. He suggested that the Town should look at the deed on Klock Road to see what easements are on the property.

Executive Session

No executive session was needed.

Adjournment

Resolution 2019-101: Councilman Villa made the motion to adjourn; seconded by Councilwoman Gosier; all were in favor and the motion was carried; meeting was adjourned at 9:16 p.m.

Respectfully Submitted

Ariana Matraw
Town Clerk