

November 13, 2019
Town of Lyme
Solar Law Hearing 6:15 P.M.
Regular Monthly Meeting 6:30 P.M.

Solar Law Hearing:

Supervisor Aubertine opened the public hearing at 6:17 pm. Brett Hastings was present from Geronimo Energy to answer any questions anyone may have; there were no comments made.

Resolution 2019-142: Supervisor Aubertine made the motion to close the Solar Law Public Hearing; Councilman Villa seconded the motion; all were in favor; motion carried.

Discussion on Draft Solar Law: Supervisor Aubertine stated that we have received a lot of information regarding the Solar Law from the County Planning Board, our Planning Board and Geronimo Energy. Councilman Villa stated that the recommendations made were in the best interest of the Town residents. He suggested we accept the County's recommendations. The solar law went through the 239M review at the County and they also reviewed the comments Geronimo Energy submitted. Chairman Reggie Schweitzer discussed the changes that both the County and Geronimo Energy recommended. Chairman Schweitzer will be making the changes to the law and will send the Town Board the revised law to possible adopt at the next regular meeting.

Resolution 2019-143: Deputy Supervisor Bourquin made the motion to send the Draft Solar Law back to the Planning Board to insert the changes recommended from County Planning into the law; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Call to Order:

Supervisor Aubertine called the regular monthly meeting to order at 6:32 p.m. opening the meeting with a prayer and the Pledge of Allegiance.

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilwoman Gosier, Councilman Villa, Town Clerk Ariana Henderson, County Legislator Bill Johnson, Terry Countryman, Planning Board Chairman Reggie Schweitzer, and Brett Hastings representing Geronimo Energy.

Privilege of the Floor

County Legislator Bill Johnson: Mr. Johnson reported that the County passed their budget on November 12th, it was just shy of 260 million dollars. The expenditures were up \$2.3 million and revenues were up \$2.2 million. The use of the fund balance is up \$80,000. They managed to stay under the 2% tax cap and the residents taxes were raised by \$.09 per thousand. There are \$40 million of State mandates the County has to stand by. Two appointments were made and there are 798 county employees. Councilman Bourquin asked if Supervisor Aubertine had heard back from the County on charging \$50 to haul the Town's trash. Legislator Johnson asked where we heard this information because he was not informed of this charge. A letter was sent to the Town from County Superintendent Jim Lawrence. Mr. Johnson was surprised he sent a letter

before explaining it to the legislators, he will look into this issue for the Town. Supervisor Aubertine asked if there needed to be a meeting with the County regarding the REDI funds and about the 5% match. Legislator Johnson assumed it would be the County's responsibility. Supervisor Aubertine stated any private business that gets a reward has to come up with 5% match for the business. Councilman Villa read from the REDI program informational email "Each project must also receive matching support from a local government totaling at least 5% of state funds to be awarded under the Program. By way of example, a resiliency project that cost \$100,000 may be eligible for up to \$50,000 in state reimbursements, subject to at least \$2,500 in matching local contributions which are expected to include, but not be limited to, certain tax exemptions offered by Industrial Development Authorities, local government waivers of the costs of ordinarily due permits and fees, and direct expenditures by local government on project-related infrastructure." Legislator Johnson is going to ask County Legislator Mr. Gray who is on the REDI committee if in fact the Town will have to match 5% of the state funds awarded under the program.

Supervisor's Report

Resolution 2019-144: Councilman Villa made the motion to approve September and October Supervisor's Monthly Financial report; Councilwoman Gosier seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

There was no report.

Clerk's Report- October 2019

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,158.34; Total State County & Local Revenues: \$3,239.84; Total Non – Local Revenues: \$81.50.

New Computer: The Town Board requested more detailed specs on the Town Clerk's new computer before approving the purchase. Clerk Henderson will request more information from Computer Technician Ben Rubacha and report this information back to the board for next month's meeting.

Audit of the Bills (Abstracts #21 & #22)

Resolution 2019-145: Deputy Supervisor Bourquin made the motion to approve Abstract #21 in the amount of \$70,512.28; seconded by Councilman Villa; all were in favor and the motion was carried.

Resolution 2019-146: Councilman Villa made the motion to approve Abstract #22 in the amount of \$70,754.00; seconded by Councilwoman Gosier; all were in favor and the motion carried.

Approval of the October 9, 2019 Minutes

Resolution 2019-147: Councilman Villa made a motion to approve the October 9, 2019 Minutes; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Approval of the October 14 + 17, 2019 Minutes

Resolution 2019-148: Councilwoman Gosier made a motion to approve the October 14+17, 2019 Budget Work Session Minutes with the correction statement by Supervisor Aubertine added at the end; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Correction Statement made by Supervisor Aubertine to Correct October 14 + 17 Minutes

I would like to have this statement included in tonight's minutes.

My memory of the discussion regarding the payment for the Grant Writer position and what is in the minutes are not the same. I admit the discussion was confusing and involved a few various topics. I believe the primary discussion was on the Grant Writer position itself and not specifically the Clerk to the Supervisor, although at times, the two seemed to intertwine. After much thought about the budget work session and my revisions of the budget afterward, I believe the statement in the minutes about the "decision was for Robin to be paid \$17,250 for grant writer and she can request payment when she would like", are incorrect. I recall the discussion being that we would wait for clarification on how she, if appointed as grant writer, would have to be paid. I do not recall hearing any motions made or resolutions passed regarding anything on this discussion. If my memory fails me, I stand corrected.

Regarding the minutes stating that she "would be paid \$20,449 for Clerk to Supervisor which is a 5% raise", I do recall that to be correct. However, I would like to add that when I later reworked the budget figures for the Preliminary Budget, I was unable to stay under the tax cap without lowering both the Deputy Clerk pay and the Clerk to Supervisor pay. The General A fund balance was as low as I dared take it and I did not dare apply more sales tax, which I feel is an unstable revenue fund like all other revenues. I called Don and Julie, the two board members who attended the work session and agreed with the 5% increase and told them of my concerns and they agreed to give both positions the same 2% raise as everyone else. I do not recall any motions made or resolutions passed regarding the pay for either the Deputy Clerk or the Clerk to Supervisor at the budget work session. The only resolution applicable would be the one in which we adopted the Final Budget for 2020. Again, if I am wrong, I stand corrected.

Budget Comments: After Supervisor Aubertine made his statement Legislator Johnson stated the budget tax cap calculation is difficult and lengthy and to make sure we run it by the accountant. Also Councilman Villa suggested we schedule our budget work session at the January Organizational Meeting so that all board members are aware of the dates and can attend.

Committee Reports

Assessor's Report:

The assessors took 2 of their computers to Real Property for an update to the RPS System. The RPS system was also put on Angie's computer. They are updating property starting on Point Peninsula.

Municipal Water Board Report:

The 2019 Water Re-levy was sent to Jefferson County on October 31st. The amount of re-levy for this year is \$7,940.63. The Water Re-levy for 2018 was \$9,565.48. The re-levy list breaks down for the water districts as follows:

WD#1- \$156.10 WD#2- \$4,294.03 WD#3- \$1,273.43 WD#5- \$2,217.07

The Water Board meeting will be held November 19th at 6:30 p.m. Gregor Smith will be attending to give them an update on the study for the 12E proposed water district.

Resolution 2019-149: Councilman Villa made a motion to allow a new water service for Charles Valentine at 10525 County Route 8, parcel number 51.00-1-19.631, District #4; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

Planning Board:

Chairman of the Planning Board Reggie Schweitzer stated that the Planning Board has been working on subdivision applications and the Draft Solar Law. Reggie asked if he could obtain a copy of property law maintenance drafted in the past by Boo Harris. Supervisor Aubertine is going to see if he has a copy of the draft law that was once created and forward it to Reggie.

Youth Commission:

There was no meeting this month.

ZEO/CEO Report:

There was no report for the month of October. Jim Millington is in Houston but still answering phone calls and is still working while he is away.

TMB Cemetery:

Councilwoman Gosier stated that there is no report.

New Business

Resignation Letter: Supervisor Aubertine reported that Alan Jones submitted his resignation letter effective November 4, 2019. He can no longer serve on the Board because he has sold his house in the Town of Lyme. Supervisor Aubertine thanked Alan for his service to the Town.

Resolution 2019-150: Councilman Villa made a motion to accept the Resignation Letter from Alan Jones with regrets; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

NYS DOT Snow & Ice Contract: Supervisor Aubertine received the State & County Snow and Ice contract. Councilman Villa had suggested a 2% raise for the Highway department. Supervisor Aubertine proposed this to the State and it was approved. The Town is receiving more money in this contract.

Resolution 2019-151: Councilwoman Gosier made a motion to accept the NYS Snow and Ice Contract; seconded by Councilman Villa; all were in favor and the motion was carried.

Online Dog Licensing Program: Clerk Henderson stated that she would like to have an Online Dog Licensing Program through BAS and Forte Payments so residents can have the convenience of registering their dogs online. The online program does charge a fee to the resident of 2.45% or a minimum of \$1.75. The services at the office would remain the same and dogs can still be registered there. If the resident's dog's rabies information has expired the licensing process has to be done in person so the Clerk can verify their information.

Resolution 2019-152: Councilman Villa made a motion to allow Town Clerk to have an online dog licensing program through BAS; seconded by Councilwoman Gosier; all were in favor and the motion was carried.

REDI Funds: Supervisor Aubertine will be scanning information to the Board regarding the REDI information. There is a form the Town can fill out to opt in to using O'Brien and Gere as the engineer for the REDI funds projects. Supervisor Aubertine asked Molly Reilly what O'Brien and Gere would charge the Town to be an engineer for the REDI funds. She said it depends on the cost of the project. Supervisor Aubertine trusts Gregor Smith and has loyalty to Bernier and Carr Engineers. Councilman Villa added that Bernier and Carr will be closer to us and accessibility is huge. They return correspondence efficiently and using our regular engineer is the route to go. Gregor Smith is also willing to go to Albany for us to attend the REDI meeting.

Resolution 2019-153: Councilman Villa made a motion to use Bernier and Carr as our Town Engineer for the REDI funds awards; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Old Business:

National Grid LED Lighting Proposal/NY Power Authority LED Lighting Proposal:

The Board has seen proposals from both companies on LED street lighting. Supervisor Aubertine stated his opinion that the Town should go with the National Grid LED Lighting Proposal. It is a cleaner, simpler, and easier process. Councilman Villa stated he didn't think the Town should borrow money up front to buy out the lighting equipment and the savings for the Town is not substantial. The Town doesn't need to be in the street lighting business; if we had more street lights we could consider it. He also agrees we should use National Grid's program.

Resolution 2019-154: Councilman Villa made a motion to contact National Grid to go with their lighting district proposal; seconded by Deputy Supervisor Bourquin; 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

Legislator William Johnson: Mr. Johnson would like to get together with the Board to discuss Norbut's solar project proposal. The Jefferson County IDA is trying to move forward with the project. Mr. Johnson spoke with Superintendent Cammy Morrison at Lyme Central and she seems to be more comfortable with the project. The County has accepted Norbut's proposal. There are more incentives and revenues associated with this proposal than the original. Councilman Villa stated David Norbut hadn't done his homework, he questioned his project and thought it was a little shady when he presented it to the Town Board. Mr. Johnson agreed that David Norbut didn't make a great first impression and this is why he is now going through the IDA. Terry Countryman attended the joint meeting with all 3 entities (School, Town, and Village) and also attended the IDA meeting with Norbut when he was presenting the numbers. There are several options that they presented to the school that they will discuss at the Board Meeting tomorrow night (November 14th). Councilman Villa is more than open to hearing the discussion on the solar project. Supervisor Aubertine is going to set up a joint meeting with the Village to discuss solar options with Mr. Johnson.

Adjournment

Resolution 2019-155: Supervisor Aubertine made the motion to adjourn; seconded by Councilwoman Gosier; all were in favor and the motion was carried; meeting was adjourned at 7:40 p.m.

Respectfully Submitted,

Ariana Henderson
Town Clerk