

Town of Lyme
April 13, 2016
Public Hearing – Amendments to Water Use Law – 6:25 P.M.
Regular Monthly Meeting – 6:30 P.M.

Supervisor Aubertine called the Public Hearing to order @ 6:25 p.m.

Present at tonight's meeting: Supervisor Aubertine, Councilmen Bourquin and Villa, Councilwoman Gosier, Highway Superintendent Pat Weston, Assessor's Marsha Barton and Roswell Gotham, County Legislator Bill Johnson , BAR Chairman Dave Bourquin and four others.

Clerk Wallace read the Public Hearing notice as follows:

PLEASE TAKE NOTICE that the Town Board of the Town of Lyme, shall hold a Public Hearing on Wednesday April 13, 2016 at 6:25 p.m. at the Town Offices located at 12175 NYS Route 12E, Chaumont, New York to consider amendments to the Town of Lyme Water Distribution System Law. The purpose of the Law is to regulate the use of Public Water Facilities and the Furnishing of Water to consumers of any Water District in the Town of Lyme, County of Jefferson, State of New York. The full text of the proposed Water Distribution System Law is available for inspection during normal business hours at the Town Clerk's Office, 12175 NYS Route 12E, Chaumont, New York. All persons wishing to be heard on this issue should be present at the date, time and place aforesated or have submitted written comments in advance.

**BY ORDER OF THE TOWN BOARD
OF THE TOWN OF LYME**

Supervisor Aubertine opened the floor for public comments; hearing none a Motion was offered by Supervisor Aubertine and seconded by Councilman Villa closing tonight's Public Hearing at 6:30 p.m. Four ayes. Motion carried.

Supervisor Aubertine called the Regular Monthly Meeting of the Town Board to order at 6:30 p.m.

Privilege of the Floor

None heard.

Audit of the Bills

RESOLUTION 2016 – 48: Motion by Councilwoman Gosier and seconded by Councilman Villa approving the March 2016 Supervisor’s Report as presented by Town Accountant Cathy Satterley. Four ayes. Motion carried.

Councilman Villa cautioned the Board that the Town may be considerably short due to sales tax revenues; he stated “We could be in trouble by the end of the year”.

Highway Superintendent’s Report – Pat Weston

The Highway Department is staying busy with cutting brush, ditching, and ballfields. Things are beginning to shape up and are starting to look good.

Mower Bids

Monroe Tractor	\$13,246.46
White’s Lawn Supply	\$12,900.00
Walldrof’s Farm Equipment	\$12,900.00
Tracy Road Equipment	\$19,446.00
Bourquin Farm Supply	\$12,733.70

RESOLUTION 2016 – 49: Motion by Councilman Villa and seconded by Councilwoman Gosier accepting the lowest responsible bidder, Bourquin Farm Supply in the amount of \$12,733.70 for the purchase of a C195-100 SHULTE FX1200 Basic Unit with the following features:

5000-085	Safety Light Kit	Required in North America
C190-700	CW Rotation on Center 540RPM	
C185-195/340-4415	AWG Hitch W/ CV540 Shaft	
C501-106WG	Open Clevis	
C317-450	Pan Kit	Required
C317-451	Updraft Blade CW Center	Required
C190-500	Double Chains Front and Rear	

C195-NA	NA and Aust Destination Kit	Required
C180-115	Duals on Center	
C190-870	Wing Wheel	Required
C190-485	Axel Kit for 5 Tires	
210-003WG	Solid Laminate Tires	

Three ayes and with Councilman Bourquin abstaining the Motion was carried.

Clerk's Report – March 2016

Total State, County and Local /Revenues:	\$2,197.15
Total Local Share Remitted:	\$1,964.47

Audit of the Bills

RESOLUTION 2016 – 50: Motion by Councilman Villa and seconded by Councilman Bourquin approving Abstract #7 in the amount of \$2,239.54. Four ayes. Motion carried.

RESOLUTION 2016 – 51: Motion by Councilman Bourquin and seconded by Councilwoman Gosier approving Abstract #8 in the amount of \$39,855.12. Four ayes. Motion carried.

Approval of Minutes

RESOLUTION 2016 – 52: Motion by Councilman Villa and seconded by Councilwoman Gosier approving the Minutes of the Regular Monthly Meeting of the Town Board for March 9, 2016. Four ayes. Motion carried.

Committee Reports

Municipal Water Board Report - Marsha Barton

Three Mile Bay Sewer Project Update – Gregor Smith and Thomas Cotaldo from Bernier and Carr met with the Water Board last week with project updates. They expect to have the report to the Town Board with an estimate of cost, by the June meeting. The next step would be to host an informational meeting informing the

residents of the potential costs of the project. That would be held sometime during the summer at the Three Mile Bay Fire Hall.

Water Reserve Fund – A Resolution will be needed to transfer \$7,120.33 from the General Fund to the Water Reserve Fund in order to finalize the accounting for 2015. Once the transfer is complete the Water Reserve will have a balance of \$81,623.97.

DANC Billing – The Village of Brownville has requested a reduction in their annual allocations which will, in turn, increase our fees we pay DANC for our annual allocations by \$4,362.00. This will cause a shortfall of \$877.00 in our budget for 2016 but we will hopefully be fine leaving our rates what we have set currently.

Lance Development – Marsha has spoken with Gail Miller and there have been problems with the contractor; they are assuming things will resume in a matter of time.

RESOLUTION 2016 – 53: Motion by Councilman Villa and seconded by Councilwoman Gosier authorizing Supervisor Aubertine to transfer \$7,120.33 from the General Fund Account to the Water Reserve Fund finalizing the accounting for the 2015 Water Accounts. Four ayes. Motion carried.

Youth Committee Report – Charlie Mount

Mother Nature is finally giving us a chance to get out and get some work done on the fields and the girls' softball program is getting underway.

Charlie stated that Pat and his crew have done a nice job working on the fields and he thanked the Town Board for all their support in the program.

Charlie will be placing the order to Belloff's for miscellaneous youth program equipment and supplies for the upcoming season.

ZEO/CEO Report – Jim Millington

Jim thanked the Town Board for their financial support for the training program he recently attended.

Jim learned of changes the State will be making concerning the adoption of the International Code, which he feels is more explicit and well written.

Jim has sent out 29 RV permits for renewal and has received 20 of them back.

Three Mile Bay Cemetery Report – Julia Gosier

Although there is currently no official Superintendent for the Three Mile Bay Cemetery, Julie is still handling the work. This is the time of year to arrange burials and sell plots. She is continuing to do the work but it is unofficial, she would like to see someone put in the position to do the work officially.

New Business

RESOLUTION 2016 – 54: Motion by Councilman Bourquin and seconded by Councilwoman Gosier TABLING the mowing bids for clarity and the possibility of more to review at next week’s Tri-Board Meeting. Four ayes. Motion carried.

Towns of Clayton and Orleans Request for Consolidating Wind Laws

Orleans Town Supervisor John Collins and Clayton’s Supervisor David Storandt attended tonight’s meeting wondering if the Town of Lyme would be interested in joining with them to consolidate the wind laws between the three entities.

Supervisor Aubertine stated that in his opinion the Town of Lyme has had our own battles along with expenditures. The Town had good people work on and develop the Wind Law and he feels it is a good law. He would rather not get involved and would like to keep our law in place, as is.

Councilman Villa stated that the Town of Lyme went through an intensive process and had put a lot of effort into developing our current Wind Law. We went through a very comprehensive process and the residents of the Town had a chance to weigh in. Our Law does allow wind mills in certain places and he would agree with Supervisor Aubertine and stay with our current Law and not get involved.

Councilman Bourquin stated that the Town of Lyme is different and does not have much land that would be conducive to supporting wind, most of our land is in close proximity to the shoreline; our Law is tailored differently due to the geographical situation. By the time you address the setbacks from roads, water, etc., it does not give us much land to put wind mills on.

Councilwoman Gosier stated that she is not happy with the Wind Law in the Town of Lyme but she is not entirely unhappy either. She doesn't agree that what we have as a Law is what the majority of the public wanted. She does believe that our Law has a good chance of standing up against the State. Our Town is geographically different. Julie hopes that the Towns of Clayton and Orleans find a way to make a Law according to what their residents would like to see. Julie feels that the Towns would be doing their residents a favor by allowing them the extra income. Each Town should have their own Law that is tailored to them.

Supervisor Aubertine appointed Councilman Bourquin to attend the meetings with the other Towns while they addressed their wind issues.

Fence Repairs – Morris Tract Ball Field

The Town received two estimates for the work to be done at the Morris Tract Ball Field on the fences that are in need of repair.

Alpine Fence	\$2010.00
Yankee Fence	\$2000.00

RESOLUTION 2016 – 55: Motion by Councilman Bourquin and seconded by Councilwoman Gosier accepting the quote from the Yankee Fence Company in the amount of \$2000.00. Twenty-three posts will be removed and reset in concrete, the fence will be re-stretched along these posts. A bottom rail will be installed on the backstop and the fence between dugouts, being approximately 100 feet. Broken rail cups, loop tops and any other broken parts will be replaced and the fence will be retied where needed. Four ayes. Motion carried.

RESOLUTION 2016 – 56: Motion by Councilman Villa and seconded by Councilwoman Gosier approving the proposed revisions of the "Water

Distribution System Law” as recommended by the Municipal Water Board. Four ayes. Motion carried.

Councilwoman Gosier suggested that the Town Board move forward with replacing the flooring in the entryway, halls and offices where the carpeting is dangerous and looks terrible, she feels that something needs to be done.

RESOLUTION 2016 – 57: Motion by Supervisor Aubertine and seconded by Councilman Bourquin authorizing the advertising for bids to replace and install new flooring in the Municipal Building from the Assessor’s Office and Entryway through the front end of the building and offices. Four ayes. Motion carried.

The Town Board would like to look into the possibility of a Fire House sign in Three Mile Bay to make it more noticeable coming from Cape Vincent.

Old Business

Supervisor Aubertine reminded everyone of the upcoming Joint Meeting to be held at the School on April 20th at 6:00 p.m.

BOCES Solar Consortium – Inter Municipal Agreement

Councilwoman Gosier, Councilman Bourquin and Clerk to Supervisor Robin Grovesteen have been in attendance for some of the Solar Consortium meetings given by BOCES.

They feel the Town should pass the Inter Municipal Agreement so we can move forward. They stated there is always some risk involved but feel it would be minimal. If the Town decides to offer the land to the Consortium they will see revenues of approximately \$5000.00 per year and we would see a savings of about 33 percent in our electric bills. They feel it is a good project and hope we get involved.

RESOLUTION 2016 – 58: Motion by Councilman Bourquin and seconded by Councilwoman Gosier authorizing the Town Board to move forward with the Tri-County Electric Cooperative Intergovernmental Agreement made among the New York public entities as Members, pursuant to Article 5-G of the New York

General Municipal Law, and is for the purpose of enabling Members to jointly exercise the power and authority which each possess, and which each might exercise separately to manage and purchase energy, either natural gas or electricity, and to acquire and install energy generation facilities. The full context of the Agreement can be found as Attachment A to these Minutes of April 13, 2016. Four ayes. Motion carried.

RESOLUTION 2016 – 59: Motion by Councilman Bourquin and seconded by Councilwoman Gosier approving the matter of the Amendment of Boundaries with respect to the Town of Lyme Hamlet of Three Mile Bay Lighting District Amended Order of District Boundaries.

WHEREAS, a Lighting District was previously created in the Town of Lyme; and

WHEREAS, it has come to the Town Board of the Town of Lyme's attention that an extension is in the public interest to proceed with such extension; and

WHEREAS, the Town Board of the Town of Lyme scheduled a Hearing for December 9, 2015 at 6:20 p.m. at the Town of Lyme Town Offices, 12175 NYS Route 12E, Chaumont, Jefferson County, New York as the date, time and place where the Town Board meet and consider amendments to boundaries of the Town of Lyme Lighting District; and

WHEREAS, a notice for such Hearing was duly published and posted as required by Law; and

Whereas, a Hearing on the matter was duly held by the Town Board at the time, date and place set forth in the Public Hearing Notice and comments received thereat;

WHEREAS, the Town Board duly adopted an Amended Order establishing District at a Regular Meeting held on the 10th day of February 2016 and in accordance with the information disseminated at the Public Hearing, and

WHEREAS, such Order was published on the 2nd day of March, 2016 indicating that such Order was subject to Permissive Referendum, and

WHEREAS, more than thirty days have elapsed since the publication of such Resolution and no petition requesting permissive referendum has been filed.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED:

- a) That the Notice of Hearing was published and posted as required by Law;**
- b) That the following properties are currently benefited by the Lighting District and, but have not been charged:**

Tax Map Parcel Numbers:

50.00-2-25.1

50.00-2-25.2

50.00-2-26

50.00-2-27.3

50.00-2-27.4

50.00-2-27.2

51.00-1-34

51.00-1-36.1

51.00-1-36.2

51.00-1-36.3

51.00-1-36.4

61.05-1-23

61.05-1-67

- c) That all property and property owners benefited are now to be included within the limits of the Extended District;**
- d) That it is the Public Interest to extend the Lighting District;**

RESOLVED AND DETERMINED that the amendment of the boundaries of the Town of Lyme Lighting District to include the Tax Map Parcels listed above and it is further

RESOLVED AND DETERMINED, that the Town Board of Lyme Lighting District in accordance with its prior Order and in view of the fact that no referendum was requested, be amended and set forth above and shall be bounded and described as set forth above;

Dated April 13th, 2016.

Four ayes. Motion carried.

RESOLUTION 2016 – 60: Motion by Councilman Villa and seconded by Councilman Bourquin approving the 2016 Water Rates for Water Districts Number One through Water District Number Five as set forth at the Public Hearing of March 13, 2016. Four ayes. Motion carried.

Privilege of the Floor

Don Metzger – Three Mile Bay – Requested that the Town of Lyme modify the website to include a section on industrial wind. The information may be helpful to residents and will provide a transparency as to what may or may not be happening in the area of “wind”. Don stated that he appreciates the Town’s openness on the matter of wind.

A Motion was offered by Councilman Villa and seconded by Councilwoman Gosier to move the Town Board into Executive Session at 8:35 p.m. Four ayes. Motion carried.

A Motion was made by Supervisor Aubertine and seconded by Councilwoman Gosier moving the Town Board back into open Session at 9:20 p.m. Four ayes. Motion carried.

RESOLUTION 2016 – 61: Motion by Supervisor Aubertine and seconded by Councilwoman Gosier approving the advertisement for requests for proposals accepting bids for a new or used generator that would allow the energy needed, according to assessments provided by professionals for the installation and purchase for a system estimated at 35 kilowatts and powered by propane. Four ayes. Motion carried.

RESOLUTION 2016 – 62: Motion by Supervisor Aubertine and seconded by Councilman Bourquin accepting Attorney Gebo’s recommendations regarding the litigation matter concerning the assessments. Four ayes. Motion carried.

A Motion was offered by Supervisor Aubertine adjourning tonight's meeting at 9:35 p.m. Four ayes. Motion carried.

The Minutes of Tonight's Meeting are Respectfully Submitted by,

***Kim Wallace,
Town Clerk***

