

**Town of Lyme
Regular Town Board Meeting
December 10, 2008
6:30 P.M.**

Supervisor Aubertine opened tonight's meeting at 6:30 p.m. with a Prayer and the Pledge of Allegiance.

Present: Supervisor Aubertine, Councilmen Countryman, Schreib, Madill and Johnson, Assessor's Barton and Gotham, Bookkeeper Tom Bowie, and approximately 15 others.

Supervisor Aubertine took a brief moment to recognize Dan Villa who recently received the Schapiro Award and also gave Bruce Kingsley condolences from the Town on the recent loss of his wife Sherry.

Privilege of the Floor

Bob Thomas – Councilman Countryman asked Mr. Thomas how the Town Board should proceed with the parking situation that is occurring with the ice fishermen along Point Salubrious (County Route 125). Mr. Thomas indicated that he has been in touch with County Highway Superintendent, Jim Lawrence and Mr. Lawrence has asked the Town to "sit back" until he has gathered all the information needed in this matter from the County Attorney, as to how to proceed.

The Town Board has directed Police Chief Leo Wilson to ticket those in violation of the parking laws along Point Salubrious.

Hester Chase – Invited the Town Board and Community to a Municipal Wind Development Meeting on December 13, 2008 from 1 to 3 pm at the Cape Vincent Community Recreation Hall. The topic for discussion will be how the citizens of the Communities could be in charge of their own project; to supply municipal wind powered electricity to their own residents. She is looking for a way to give both sides what they are looking for in the way of benefiting from the wind generating facilities.

Officer Reports

Supervisor's Report

Tom Bowie presented the Supervisor's Report for November 2008. Revenues are over budget for the year and expenditures are under budget. The \$60,000.00 that will be allocated to the Fire Departments will have to be moved through an inter-fund transfer in the General Fund and it will be coming out of last years fund balance. The checks to the Fire Departments will be cut from the General Fund.

The Highway has done fine this year with a Fund Balance of \$88,000.00. Highway DB does have a deficit of \$11,000.00.

RESOLUTION 2008 -172: Motion by Councilman Countryman and seconded by Councilman Schreib approving the recommended budget transfers (transfer #4) suggested by Tom Bowie as follows:

General Fund A

	<u>From</u>	<u>To</u>
A1620.2 Buildings-Equipment	62,879	
A1990.4 Contingent	1,500	
A1110.4 Municipal Court CE		255
A1310.4 Bookkeeper-CE		4,426
A1330.4 Tax Collection		93
A1335.4 Assessors-CE		505
A1420.4 Attorney-CE		5,938
A1620.4 Buildings-CE		10,801
A1989.4 Miscellaneous		500
A6810.1 Lyme Garden Club		1,410
A7140.1 Playground/Rec Centers-PS		765
A8160.1 Refuse & Garbage-PS		4,009
A8160.4 Refuse & Garbage-CE		28,536
A9050.4 Unemployment		7,141
TOTAL	64,379	64,379

General Fund B

B3120.2 Police-Equipment	516	
B8010.4 Zoning-CE		516

Highway DA

DA5130.2 Machinery-Equipment	10,160	
DA5142.1 Snow Removal-PS		10,000
DA9055.8 Unemployment Insurance		160

Highway DB

DB599 Appropriated Fund Balance	14,509	
DB5110.4 General Repairs-CE		885
DB5112.1 Improvements-PS		10,154
DB9030.8 Social Security		1,500
DB9045.8 Shoe Allowance		600
DB9060.8 Health Insurance		1,370
TOTAL	14,509	14,509

WD#1

F8310.1 Admin-PS	538	
F8330.4 Purification-CE		538

WD#2

F8310.1 Admin-PS	382	
F8330.4 Purification-CE		382

WD#4			
F9730.7	Interest-BAN	2,194	
F8310.1	Admin-PS	844	
F8310.4	Admin-CE		2,938
	Budgetary Provision-serial Bonds		100

RESOLUTION 2008-173: Motion by Councilman Schreib and seconded by Councilman Johnson accepting the budget transfers (transfer #5) suggested by Tom Bowie as follows:

General Fund A

		<u>FROM</u>	<u>TO</u>
A1620.2	Buildings-Equipment	1,731	
A9010.8	State Retirement		1,731

RESOLUTION 2008-174: Motion by Councilman Countryman and seconded by Councilman Schreib accepting the November 2008 Supervisor's Report as presented. Five ayes. Motion carried.

Clerk's Report – State, County, and Local Revenues for November 2008 totaled \$3,248.00. Local Shares Remitted totaled \$1,752.57.

Audit of Bills

RESOLUTION 2008-175: motion by Councilman Countryman and seconded by Councilman Johnson approving Abstract # 23 in the amount of \$5,050.32. Five ayes. Motion carried.

There was a question as to the fee paid to Sovie and Bowie for the service they provided to the Town for assistance in preparing the 2009 Budget. The Board asked that the contract with the Bookkeepers be reviewed as to content of service for budget preparation.

RESOLUTION 2008-176: Motion by Councilman Johnson and seconded by Councilman Countryman accepting Abstract #24 in the amount of 42,916.35. Subtracting Voucher # 688, paid to Sovie and Bowie in the amount of \$1,077.00. Five ayes. Motion carried.

Approval of Minutes

RESOLUTION 2008-177: Motion by Councilman Countryman and seconded by Councilman Madill approving the submitted Meeting Minutes of the November 12, 2008 Regular Town Board Meeting. Five ayes. Motion carried.

RESOLUTION 2008-178: Motion by Councilman Countryman and seconded by Councilman Johnson approving the submitted Meeting Minutes of the November 18 Budget Work Session and the November 20, 2008 - 2009 Budget Adoption Meeting. Five ayes. Motion carried.

Committee Reports

Assessor's Report – The assessor's are finishing up the last of the fieldwork until they do the final review just prior to March 1, 2009.

Values are now being generated for new construction, along with changes to the property record cards and computer.

Exemption renewal forms are being prepared for mailing in January 2009.

Municipal Water Board Report:

Water Use Law Revision – A copy of the final draft was provided to the Town Board. A change was made to add Section 8.5 regarding correcting billing errors. If there were no more changes, Marsha would like to see a resolution to adopt the law tonight.

RESOLUTION 2008 – 179: Motion by Councilman Schreib and seconded by Councilman Countryman accepting the revised Town of Lyme Water Distribution Law as written and with the rate sheet attached. Five ayes. Motion carried.

DEC Water Billing – A decision has to be made on the water billing of the property the DEC purchased (Bachy's Marina). The DEC is being charged for ½ and ¼ EDU, they would like to pay nothing. The total annual amount the Town would be losing in fees, for each parcel, would be \$371.40.

RESOLUTION 2008 – 180: Motion to continue sending Mr. Condino of the NYS Department of Conservation, the water billing invoices for the property they purchased in Three Mile Bay, Bachy's Marina. Rates will be charged on ¼ and ½ EDU (equivalent dwelling unit). Marsha Barton will also send them a copy of the adopted Water Distribution Law.

Roll Call vote as follows:

<i>Supervisor Aubertine</i>	<i>Yes</i>
<i>Councilman Schreib</i>	<i>Yes</i>
<i>Councilman Madill</i>	<i>Yes</i>
<i>Councilman Countryman</i>	<i>Abstained</i>
<i>Councilman Johnson</i>	<i>Yes</i>

Motion carried.

Old Town Springs Road Water Project– Chris Dimmick is scheduling the archaeologist to do the required testing. He was waiting for public comment following the letter that was sent to the property owners regarding the testing. Marsha has contacted Mark Gebo's office to begin preparing the easements.

Marsha will be sending a letter to all residents of the district informing them that the easements will be available at the January Water Board Meeting.

The drawings of the project will also be available for review. The drawings will indicate the placement of the water line on their property. The Meeting will also give the residents the opportunity to voice any concerns on the placement of the lines. The easements that do not get signed at the meeting will be mailed. The meeting in January will be the 28th at the Chaumont Fire Hall at 6:30 p.m.

Point Salubrious Water Line Project – They are in the process of gathering information at this time.

Guy Gosier's term for the Municipal Water Board will be up and he has agreed to stay on for another term.

Three Mile Bay Cemetery – Site work at the Cemetery is done until Spring. There was one gravesite sold for \$300.00. Julie continues to work on refining the bookkeeping and record system. She also continues to research old lots to determine current owners. Julie said that the work is endless and that there are literally 100's of plots in the Cemetery. Any time she has available she tries to move forward in determining ownership. With the old lots it is hard. . . There are approximately 470 lots in the Cemetery. Some lots were purchased in the 1880's and she is not sure if anyone is buried there because there are no stones.

Planning Board – Boo Harris – All the Planning Board members attended the Work Shop that was held at JCC. The Board has been working on the surveys and are making modifications. Andy Nevin from the County Planning Department has been assisting the process. December will be Boo's last month as Planning Board Chairman. Bert Bowers has agreed to take over the position, with the Board's approval.

Youth Committee Report – Charlie Mount – The Teen Centers are open, they are starting out slow, and attendance is down. There is a moisture problem in the basement of the Masonic Lodge. The Youth Committee has invested close to \$2000.00 in equipment and they do not want to see it ruined by the moisture so they are looking for a dehumidifier to remove the moisture from the air. Boys and girls basketball has started up. The school is opening the gymnasium for a few hours each week.

Councilman Schreib has a dehumidifier that he would like to donate to the Teen Center.

ZEO – October 5 – December 9, 2008 :

	Issued	Denied	Resolved	Pending
Zoning Permit Applications	6			
Site Visits	45		6	39
Stop Work Orders	1			
Permits Issued for:				
Deck	1			
Barn	1			
Home / Cottage	1			

Garage 1
Pre-Built Storage Building / Shed 1
Modular Home Pad & Home 1

Thirty – eight of the site visits were generated by a complaint about an unregistered / un-inspected RV. Site visits were conducted on Flanders, Hayes Bay, Warner and Montonna Shore Roads, plus Fire roads 7 & 13. Letters are being prepared to send to the property owners. The Stop Work Order was issued to a property owner who is trying to avoid the Town of Lyme Zoning Laws.

ZBA – Ernie Brister – The ZBA Monthly meeting was held on December 3rd at 6:30 p.m. and no Variances or hearings were before the Board this month.

The ZBA recommends that Richard Revelle be reappointed for another five (5) year term and is seeking the Town Boards approval.

The ZBA is also recommending Ernest Brister as ZBA Chairman for the year 2009 and again is requesting the Town Boards approval.

The Town Board also interviewed Michael Callahan for a position and since no other person has stepped forward, the ZBA is submitting Mr. Callahan to the Town Board for their approval or denial, to become a member of the ZBA of the Town of Lyme.

Police Report - A written Police Report was provided to the Town Board for the month of November.

Resolutions and Motions

RESOLUTION 2008 - 181: Motion by Councilman Countryman and seconded by Councilman Johnson approving the LGE (Local Government Efficiency Grant) as follows:

WHEREAS, the NYS Department of State has announced the availability of up to \$200,000.00 of funding per municipality through the 2008-2009 Local Government Efficiency – Efficiency Implementation Grant Assistance Program for shared highway projects; and

WHEREAS, The Town of Lyme and Village of Chaumont are each in need of a salt storage facility to prevent the continued loss of material and degradation of the environment due to the exposure of snow melt materials to the natural elements – i.e. wind, rain and snow; and

WHEREAS, The Town of Lyme and Village of Chaumont are eligible to apply for funding to construct a joint salt storage facility through the SMSI program at a cost of \$280,146.66; and

WHEREAS, The Town of Lyme will serve as lead applicant and has committed at least \$42,007.11 from their budget as the local cash match; and

WHEREAS, The Village of Chaumont has a shared interest in constructing a shared salt storage facility based upon savings through an economics of scale and serve as co-applicant to the Town of Lyme in pursuing funding through the SMSI program to construct the "Town of Lyme / Village of Chaumont: Joint Salt / Sand Storage Facility" in cooperation as co-applicant; and

BE IT FURTHER RESOLVED, that the Town of Lyme Town Board authorizes Town of Lyme Supervisor, Scott G. Aubertine, to sign all agreements, certifications and other documents required to complete the application and to accept grants and administer the programs that are to be proposed through the NYS DOS 2008-2009 Local Government Efficiency - Efficiency Implementation Grant Program and on behalf of the Village of Chaumont.

Roll call vote as follows:

Supervisor Aubertine	Aye
Councilman Johnson	Aye
Councilman Schreib	Aye
Councilman Madill	Aye
Councilman Countryman	Aye

Motion carried. Resolution adopted.

The Town Board scheduled a Joint Town and Village / Year End Meeting on December 29, 2008 at the Chaumont Fire Hall at 6:30 p.m. The purpose of the meeting will be to review the Intermunicipal Agreement and to close out the books of 2008.

Web Site Quote - The Town's current Web Master, Charlie Croncrite is off to college. Supervisor Aubertine would like to propose Raynie Day Productions to upgrade and maintain our website.

RESOLUTION 2008 - 182: Motion by Councilman Schreib and seconded by Councilman Countryman accepting the proposal of Alicia Dewey, Raynie Day Productions, for redesigning and upgrading the Town of Lyme's website for the fee of \$400.00. Site Maintenance, charged after renovation, for keeping site updated with general news, events, board minutes, etc. will be \$15.00 (fifteen dollars) per hour, beginning the first of the year. Five ayes. Motion carried.

New Business

Supervisor Aubertine has established a new payroll account and ordered new checks for that account. He will contact ADP and let them know that the Town of Lyme will no longer require their services.

Fire Departments Three Year Plan - During the last budget work session the Town Board devised a plan, to have the Fire Departments become solely reliant on tax dollars by 2012. Several stipulations will be required of the

Fire Departments by the Town Board. They need to be assured where the money is spent because it is taxpayers dollars, the Town must be accountable.

The Three Year Transition Plan for 100% Tax Support for the Town's Volunteer Fire Departments is as follows:

2009 - \$ 39,000.00
2010 - \$ 62,666.00
2011 - \$ 86,332.00
2012 - \$109,998.00

Councilman Schreib explained the Project Funding per Fire Department stipulations as follows:

1. 2008
 - a. The one (1) time \$30,000.00 paid to each Fire Department
 - b. Each Fire Department shall present invoices for reimbursement to the Town, describing what they are buying with taxpayers funds.
 - c. Accounting of how funds are spent.
2. 2009-2012
 - a. Proposed budget for each fire department every year.
 - b. Each Fire Department shall present invoices for reimbursement to the Town describing what they are buying with taxpayer funds.
 - c. Invoices and accounting for what has been purchased with taxpayer funds.
 - d. How are they going to handle "fund raising" funds? Until 2012 they will need to use these funds, but what happens after that?
3. 2012 and beyond
 - a. Proposed budget for each Fire Department every year
 - b. Each Fire Department shall present invoices to the Town requesting funds describing what they are buying with taxpayers funds.
 - c. Invoices and accounting for what has been purchased with taxpayers funds.
 - d. Accounting of "fund raising" funds expenditures.

RESOLUTION 2008 - 183: Motion by Councilman Schreib and seconded by Councilman Johnson accepting the stipulations for the Fire Departments as presented to the Town Board as per the language above.. Five ayes. Motion carried.

RESOLUTION 2008 - 184: Motion by Councilman Countryman and seconded by Councilman Johnson scheduling a Joint Meeting with the Village and a Year End Meeting on December 29, 2008 at 6:30 p.m. at the Chaumont Fire Hall. Five ayes. Motion carried.

RESOLUTION 2008 - 185: Motion by Councilman Countryman and seconded by Councilman Madill to advertise for bids to renovate the

Transfer Site Building. Bids will be open at the December 29, 2008 Joint Meeting at 6:15 p.m. at the Chaumont Fire Hall. Five ayes. Motion carried.

Old Business

Saint Lawrence Wind Farm – Transmission Line Easement

Pete Zedick – Opened by thanking the Town Board for consideration of the easement. He indicated that the easement payments would be a good source of revenue for the Town and stated that he is not seeking approval at this point, just asking if the Town is interested.

The new substation will be located on County Route 179, opposite the existing station.

Councilman Schreib stated that the Town Board has to make a decision and there have been questions as to the easement language. Saint Lawrence Wind Farm has not contacted the Town in addressing these questions. There are concerns that need to be addressed before the Town can move forward responsibly.

The Town Board made a decision to have Supervisor Aubertine, Councilman Schreib and Pete Zedick meet at the Town Offices on January 7th at 6:30 p.m. to discuss some of the Town Board's questions and concerns.

Supervisor Aubertine - George Perkins was open on Veterans Day. How would Board like to proceed with his vacation days? They would like to have George "in cync" with the Town's holidays. The day after Thanksgiving the Transfer Site will be closed. The Transfer Site will be open the day after Christmas.

Privilege of the Floor

Bruce Kingsley – Embarrassed that Pete Zedick would have to wait until the end of the Meeting to be heard, the Town should have considered him at the beginning of the Meeting.

Motion by Councilman Countryman and seconded by Councilman Johnson to adjourn the meeting at 9:18 p.m.

Minutes Respectfully Submitted by

*Kim Wallace
Town Clerk*

Adjournment