

**Town of Lyme
July 12, 2017
Regular Monthly Meeting of the Town Board
6:30 P.M.**

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

Present at tonight's meeting: Supervisor Aubertine, Councilwomen Harris and Gosier, Councilmen Bourquin and Villa, Assessor Chair Marsha Barton, Highway Superintendent Pat Weston, Transfer Site Attendant Anthony Dibella and approximately 3 others.

Privilege of the Floor

Gary Seerey – Buchanan's Path: Mr. Seerey thanked the Town Board for allowing him a few minutes of their time.

Due to problems with ingress and egress on a private road, Mr. Seerey wanted to make the Town Board aware of the Residential Code of New York State – Driveways and Private Roads; Section 511.1. He requested that the Town Board would consider this Code and add the rules and law to the Town's Local Law. He stated among other things the Town should respond to these roads in case of emergency situations.

Councilwoman Gosier expressed a concern with the private roads and stated she has been on ambulance calls where it was very difficult to access some of these properties located on the private roads.

Supervisor Aubertine will ask the Town Planning Board to take a look at the NYS Code and consider incorporating the Code into our Zoning Law.

Officer's Reports

Supervisor's Report – June 2017

RESOLUTION 2017-78: Motion by Councilman Villa and seconded by Councilwoman Harris approving the June 2017 Supervisor's Report as provided by Town Account Cathy Satterley of Bowers and Company. Five ayes. Motion carried.

Highway Superintendent's Report – Pat Weston

The Highway Department has completed all the paving projects for the 2017 season. They have been doing a lot of work with the County, Cape Vincent and Clayton. Most of the erosion problems have been addressed but there is still a little that needs tweaking. There are some spots where the erosion has been undermining the black top.

Tony Dibella mentioned how much the residents of Point Peninsula appreciate all that the Highway Department is doing at the Isthmus.

Clerk's Report – June 2017

Total State, County and Local Revenues:	\$4,662.13
Total Local Shares Remitted:	\$4501.63
Total Non-Local Revenues:	\$ 60.50

RESOLUTION 2017 – 79: Motion by Councilman Villa and seconded by Councilwoman Gosier approving Abstract #13 in the amount of \$53,883.49. Five ayes. Motion carried.

RESOLUTION 2017 – 80: Motion by Councilwoman Harris and seconded by Councilwoman Gosier approving Abstract #14 in the amount of \$89,929.41. Five ayes. Motion carried.

RESOLUTION 2017 – 81: Motion by Supervisor Aubertine and seconded by Councilwoman Gosier requesting Clerk Wallace to review the Meeting video of June 14, 2017 with attention placed on the area of "Permits for Flood Damage"; if wording found to be inaccurate a correction will be made. Five ayes. Motion carried.

RESOLUTION 2017 – 82: Motion by Councilwoman Harris and seconded by Councilwoman Gosier approving the Meeting Minutes of the June 14, 2017 Regular Monthly Meeting of the Town Board with the exception of possible changes in area relating to “Permits for Flood Damage”. Corrections will be made if necessary. Five ayes. Motion carried.

Committee Reports

Assessor’s Report – Marsha Barton

2017 Final Assessment Roll is on the Town website. The total assessment for the Town of Lyme is \$413,641,127.00. The total Town taxable is \$381,410,040.00. The figures show we ended up with \$1,800,000.00 over last year’s assessment.

Small Claims Review – As of today there has been one Small Claims Filing; property owners have until July 30, 2017 to file.

Lake Ontario – St. Lawrence Seaway Flood Relief & Recovery Grant Program – One part of the bill that concerns Marsha is the bill that provides local governments and school districts, with special permission to cut property tax bills for affected property owners. There has been no explanation yet as to what this actually means. Marsha did contact the Governor’s Office for an explanation but she has not received a reply. The Town’s Assessment Roll was finalized on July 1st and Taxable Status Day was March 1st. Marsha is not sure whether this indicates they will actually change our Final Roll or possibly give a rebate to those property owners affected. Marsha is questioning if the State has any idea what this will mean and how it will affect local governments and school districts.

Municipal Water Board Report – Marsha Barton

June 2017 Water Board Meeting – Two presentations were made at the meeting. The first one was HD Supply in regard to upgrading their Radio Read System. As of December 31, 2017 they will no longer be supporting the current MXU’s that we use. They have proposed a package with a price tag of \$18,500.00; which will upgrade our readers and provide us with 25 of the new MXU’s and a new hand held reader.

The Water Board will be discussing options at the July meeting and will have a recommendation for the Town at the August Meeting.

The second presentation was by Gregor Smith of Bernier and Carr. He provide information on replacing our water tower with a Standpipe System. Estimated cost of the project would be \$2,000,000.00. This will be discussed and reported to the Town Board at the August Meeting.

Water Facility – Revenues to date are on par with 2016. There was a recent complaint from a customer who said the facility smelled like dead fish and we believe someone actually did clean fish in there. The building was clean but the smell lingered. Randy Gardner cleaned and disinfected it.

2016 Water Loss – WD #2 – Patty Pastella from DANC is doing some research to see whether or not they can find out why there is a water loss in WD #2. If they can't find anything Billy will start checking the laterals.

WD #4 Extension – Cheever Road – Gaffney – They are waiting for all the necessary approvals before they can begin construction. Approvals have been met for DANC and the Village of Cape Vincent; they are still waiting for the Health Department's approval. Tom Ross from GYMO is working with the Health Department in the areas they have concerns with.

Lance Development – Progress is being made on the Lance Development; they are waiting for approval from the NYSDOT to cross NYS Route 12E with the Water Line.

Dog Control Report – Amy Funk

June 18, 2017 – Amy responded to a call in regard to barking dogs. When she pulled into the yard the dogs barked but they immediately stopped. The dogs were well taken care of and the barking starts with seeing squirrels or other dogs. The police have been called for the same situation but the complainants were told there was nothing that could be done about it.

Youth Committee Report – Applicants look good, they have first aid, CPR and fingerprinting. If the Town Board sets guidelines for the criteria then those guidelines will have to be met.

ZEO/CEO Report – Jim Millington

June 2017:

Zoning Fees:

Additional Site Visit:	1 @	\$ 50.00
Permit Application Fee:	12 @	\$ 450.00
Variance Applications:	3 @	\$ 150.00
Code Enforcement:	14 @	\$1,415.00
Seasonal Mobil Residency Permit:	1 @	\$ 100.00
Total Code Enforcement and Zoning Fees:		\$2,165.00

New Business

Law Enforcement Field Use Request

RESOLUTION 2017 – 83: Motion by Councilman Villa and seconded by Councilwoman Gosier approving the use of the Morris Tract Ball Field for the Annual Law Enforcement Softball Game that will be held on Wednesday August 2nd, 2017; with Thursday August 3rd as a rain date. Five ayes. Motion carried.

Air Conditioning Unit Repair and Possible Replacement

Councilman Villa feels we have fooled around long enough, its time to get the building fixed.

RESOLUTION 2017 – 84: Motion by Councilman Villa and seconded by Councilman Bourquin approving the estimate from Hyde-Stone for the installation of a Ductless Split Heat Pump System to consist of (1) Condenser and (3) Evaporator Heads to serve the (3) back offices as requested. The price of

\$8,921.60 includes labor and material to complete the proposed scope of work. This price does not include getting electrical to the condenser. The price to replace the air diffusers to include labor will be not more than \$325.00. Five ayes. Motion carried.

Salt Storage Grant

Councilman Villa voiced his concerns with the numbers we are working with; they are almost five-years old. We haven't even determined the size of the building and we only have until July 28th to get the application in. He feels we aren't ready to apply for a grant 16 days from now, especially since our share could be \$100,000.00. Dan realizes we need the salt barn is necessary but making decisions in haste will come back to bite us.

RESOLUTION 2017 – 85: Motion by Councilwoman Gosier and seconded by Councilman Bourquin authorizing the Town to apply for the Salt Barn Storage Grant with a cap of \$350,000.00 with the Town's portion of funds not to exceed twenty-five percent of the total cost, to include in-kind services. Four ayes. One nay. Motion carried.

Supervisor Aubertine	Aye
Councilman Bourquin	Aye
Councilwoman Harris	Aye
Councilwoman Gosier	Aye

Councilman Villa	Nay
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RESOLUTION 2017 – 86: Motion by Councilwoman Harris and seconded by Councilman Villa approving the new water service and connection for Dakota Booth, 12086 Ryan's Way, Chaumont, New York; parcel number 51.00-2-10.423, Water District #5. Five ayes. Motion carried.

RESOLUTION 2017 – 87: Motion by Councilman Bourquin and seconded by Councilwoman Harris approving the Flood Water Relief Grant for funding to help residents who have been impacted by the recent flooding. The Lake Ontario – Saint Lawrence Seaway Flood Relief and Recovery Grant Program; signed into Law by Governor Cuomo, provides \$45,000,000.00 in funding to

homeowners; including owners of seasonal homes, businesses, farms, not-for-profits and municipalities. Funding is available on a first come – first serve basis once the application has been completed. Five ayes. Motion carried.

RESOLUTION 2017 – 88: Motion by Councilman Bourquin and seconded by Councilwoman Gosier accepting the SEQR findings for the Town of Lyme Salt and Sand Storage Building that will be located on NYS Route 12E, Chaumont, NY. The proposed action will be to construct a storage facility for road salt and sand; the cost will not exceed \$350,000.00. Five ayes. Motion carried.

Privilege of the Floor

Anthony Dibella – Started by saying he appreciates the Town Board approving him as a Transfer Site Attendant. He apologized for dismantling the “rummage” area located in the Transfer Site Building and taking it into his own hands. He would like to apologize to those who liked the area. He would be willing to build the area up again at the discretion of the Town Board. He would recommend that there no longer be glass items in the area as they are a hazard due to number of people walking around in the building.

Supervisor Aubertine is not in favor of the area being there.

Councilwoman Gosier feels the most important issue is the safety factor. Parking and people walking around in the building are also factors.

RESOLUTION 2017 – 89: Motion by Supervisor Aubertine and seconded by Councilman Villa moving the Town board into Executive Session at 8:24 p.m. Five ayes. Motion carried.

RESOLUTION 2017 – 90: Motion by Supervisor Aubertine and seconded by Councilman Villa moving the Town Board back into Open Session at 8:40 p.m. Five ayes. Motion carried.

A Motion was offered by Supervisor Aubertine and seconded by Councilman Villa adjourning tonight’s meeting at 8:42 p.m. Five ayes. Motion carried.

The Minutes of tonight’s meeting are respectfully submitted by,

***Kim Wallace,
Town of Lyme Clerk***

Town of Lyme
Regular Monthly Board Meeting
October 11, 2017
6:30 PM

Call to Order

Supervisor Aubertine called the meeting to order at 6:30 PM, opening the meeting with a prayer and the Pledge of Allegiance.

Those present included Supervisor Aubertine, Deputy Supervisor Bouquin, Councilwoman Harris, Councilman Villa, Legislator William Johnson, Robin Grovesteen, James Millington, Marsha Barton, Dwight Goutremout, Randy Gardner, Chris Henderson & Chris Mensinga of Core & Main, LP, David Bourquin, Charle Mount

Privilege of the Floor

County Legislator William Johnson stated that he had nothing new to report other than that he was busy working on the County budget. There were no questions posed to him. There was no other public comment.

Supervisor's Report

Motion was made by Councilman Villa to approve the Supervisor's Report; Councilwoman Harris 2nded; all were in favor and the motion carried.

There was discussion of the Town's current financial standing, including Councilman Villa's comment that despite the usual weak 3rd quarter sales tax revenue, the Town was currently on budget. He stated that the next budget year should be based on the final quarter's sales tax numbers. Supervisor Aubertine aired his concerns about the probable detrimental impact on sales tax due to the consequences of the Lake Ontario flooding and advised caution in future spending in light of these concerns.

Highway Superintendent's Report

Superintendent Weston was excused from the meeting and there was no official Highway Superintendent's report. Supervisor Aubertine mentioned a letter received from Mrs. Clark regarding necessary repairs to a fence at the Point Salubrious Cemetery. He has passed this request on to Superintendent Weston who will investigate and repair as needed.

Clerk's Report

There was no Clerk's Report due to the absence of the Town Clerk.

Audit of Bills

Councilman Villa made the motion to approve Abstract # 19 in the amount of \$102,348.95; second made by Councilwoman Harris; all were in favor and the motion was carried.

Councilman Bourquin made the motion to approve Abstract # 20 in the amount of \$4,921.30; second made by Councilwoman Harris; all were in favor and the motion was carried.

Approval of Minutes

Minutes from the September 13, 2017 Regular Meeting were presented. Motion was made by Councilwoman Harris to approve the minutes; the motion was seconded by Councilman Villa; all were in favor and the motion carried.

Committee Reports

Assessor's Report

Assessor Barton read the Assessor's report which included the results of the small claims matters as follow: 2 matters filed on behalf of the Georgia Inglehart Borden Cox Trust were dismissed due to filing errors; the remaining grievances seeking reductions were adjudicated as follow: Yassir and Dojana Salama- reduced from \$153,400 to \$148,900; Jon and Donna Podeszek-reduced from \$203,400 to \$190,000 along with an award of costs of \$30 for which a resolution must be passed allowing payment.

Councilman Bourquin made a motion to pay the Podeszek's costs of \$30; Councilman Villa seconded the motion; all were in favor and the motion carried.

Municipal Water Board- Radio Read Recommendation

The Water Board requested approval to purchase a new reader for the water meters, capable of reading both old and new meters. Two representatives from Core & Main were in attendance to answer any questions, though none were posed. The transaction would also include 35 new meters and 15 MXUs as well as the cleaning and refreshing of the current system.

Councilman Villa made the motion to accept the recommendation of the Water Board to purchase the new reader, meters and MXUs in the amount of \$18,500. Councilman Bourquin provided a second on the motion; all were in favor and the motion carried.

Planning Board

There was no Planning Board Report this month, but Planning Board Chair Schweitzer had sent an email to Supervisor Aubertine who was able to speak with him just before the meeting. Councilman Villa asked that a review of past minutes or other research be performed in order to determine with precision what parameters had originally been set for the Planned Development District. Supervisor Aubertine agreed and stated that this will be done in time for discussion at the next regular meeting in November.

Youth Commission

Supervisor Aubertine stated that the agenda, minutes and notes had been sent previously. There were no questions posed.

ZEO/CEO

Jim Millington stated that it had been a very busy month and provided a report outlining his activities. Councilman Bourquin inquired as to the status of the issue on Lotts Grove. Millington reported that a letter directing the removal of a fence had been sent to one of the parties involved in the ongoing boundary dispute.

New Business

Request for Appointed Marriage Officer

A request had been received from Rachel Gaudet for the Board to appoint as marriage officiant her uncle Douglas Smith to perform her marriage ceremony in August, 2018 as provided by NYS Dept of Health regulations. Councilman Villa asked if the appointment was to be limited to that date only and Supervisor Aubertine replied in the affirmative.

Councilwoman Harris moved to approve her request to appoint Douglas Smith as marriage officer; Councilman Villa provided a second; all were in favor and the motion carried.

Supervisor Aubertine will provide Robin Grovesteen the necessary information for notification to Ms. Gaudet as required.

Live Video Online Questions

There was much discussion on this topic raised the previous month, regarding the propriety of accepting +/or responding to questions posed through the live-streaming video process. Concerns were raised about such things as identity verification and decorum, among other issues. Charle Mount stated that he was aware of a requirement to allow public access to any location where the broadcast of a meeting was available. Other opinions expressed included Deputy Bourquin's assertion that this practice could potentially spark increased public interest and awareness of the workings of Town government. After a discussion of the pros and cons, the decision was made to table the matter until the November meeting. Steve Weed offered to research any other issues that the Board may forward to him before the next meeting.

Schedule Budget Work Sessions

Supervisor Aubertine asked the Board if there was interest in inviting any of the organizations that had submitted funding requests to attend. It was decided that this was not necessary.

Councilman Villa moved to schedule the budget work sessions at 6:30 PM on 10/18/17, 10/25/17, 10/26/17 and to advertise same in the Watertown Daily Times. Councilwoman Harris provided a second; all were in favor and the motion carried.

Opening Of Monitor Heater Bids

Two sealed bids had been received as follow: Ray Cooley-\$25; Alan Crouse-\$100.

Councilwoman Harris moved to accept the bid of Alan Crouse for \$100. Councilman Bourquin seconded the motion and all were in favor; motion carried.

Robin Grovesteen was directed to notify Mr. Crouse and to arrange for pickup.

2018/19 NYS DOT Snow & Ice Extension

Councilman Villa asked if Highway Superintendent Weston was in support of the contract. Supervisor Aubertine did not know. C. Villa stated for the record his long-standing concern regarding being held hostage by the State every year by its threat to delay payments until receipt of the signed contract.

Councilman Villa moved to renew the Snow & Ice Agreement; Councilman Bourquin seconded the motion; all were in favor and the motion carried.

Old Business

Penalty for No Permit

The Town Planning Board had conveyed its recommendation that the penalty for performing work without a permit should be set at double the cost of said permit. The Planning Board further stated that this was already covered in the law, therefore the only action necessary was to add this penalty to the fee schedule. ZEO/CEO Millington stated his support of this initiative.

Councilman Villa moved to institute a penalty doubling the required permit fee for not acquiring the proper permit for either building or zoning activities; Councilwoman Harris seconded his motion; all were in favor and the motion carried.

Privilege of the Floor

There were no comments from the floor. Hearing no comment from the floor, Supervisor Aubertine thanked everyone for their attendance.

Executive Session

Supervisor Aubertine made the motion to go into Executive Session, referencing Public Officers Law, items #4 & #5, further stating that no motions would be made at the conclusion of the Executive Session. Councilwoman Harris provided a second, all others were in favor and the motion carried.

A motion was made at 8:35 pm by Councilman Villa and seconded by Councilwoman Harris to enter back into the Open Meeting. All were in favor; motion carried.

Adjournment

Councilwoman Harris made the motion to adjourn at 8:36 pm; seconded by Councilman Bourquin. All were in favor and the motion carried.

Respectfully Submitted,

Robin Grovesteen
Executive Assistant to the Supervisor