

**Town of Lyme
May 12, 2010
Regular Monthly Meeting
6:30 P.M.**

Supervisor Aubertine opened tonight's meeting with a Prayer, the Pledge of Allegiance and a "moment of silence" for former Town Councilman Norm Schreib's father, Mr. Floyd Schreib, who passed away earlier this month.

Present at tonight's Meeting: Supervisor Aubertine, Councilmen Harris, Johnson, Countryman and Bourquin, Bookkeeper Tom Bowie, Assessor Marsha Barton, Zoning Enforcement Officers Jim Millington and Dave Rush, ZBA Member Harry Staudenmayer, Water Board Member Guy Gosier and approximately 30 others.

RESOLUTION 2010 – 51: Motion by Councilman Countryman and seconded by Councilman Johnson accepting the April 2010 Supervisor's Report as presented by Bookkeeper Tom Bowie. Five ayes. Motion carried.

TPACC – Terra House – Director of TPACC (Tobacco Prevention Awareness Cessation Coalition) for Jefferson and Lewis Counties: Ms. House is here to ask the Town Board if they would consider adopting tobacco free policies for the new ball field on Route 12E and also the Morris Track Ball Field, and any other property the Town may have influence over. The Village has already adopted these policies for the Tennis Courts and the Village Beach.

If the Town decides to pass a Resolution in support of this program, TPACC will provide the funds for permanent signage, landscaping and other improvements to the areas. The program is funded by the New York State Department of Health.

Ms. House provided some very interesting information on the matter and did an excellent job in her presentation.

Some of the facts Ms. House provided at the Meeting:

- Parks are established to promote healthy activities. The purpose of park areas is to promote community wellness and tobacco-free policies fit with this idea.
- Secondhand smoke harms everyone. Second hand smoke is a human carcinogen for which there is no safe level of exposure. Exposure to second hand smoke has immediate health consequences such as asthma attacks and other respiratory diseases.
- Secondhand smoke is harmful in outdoor settings. Secondhand smoke levels in outdoor public places can reach levels as high as those found in indoor facilities where smoking is permitted.
- Cigarette litter is dangerous. Discarded cigarettes pollute the land and water and may be ingested by toddlers, pets, birds or fish. It takes approximately 30 years for a cigarette butt to completely decompose and they are the most common source litter in this Country.
- Tobacco-free policies help change community “norms”. Tobacco-free policies establish the community norm that tobacco use is not an acceptable behavior for young people or adults within the entire community.
- 92% of Jefferson County residents 18 years of age and older report that they believe second hand smoke is dangerous.
- 83% of Jefferson and Lewis County residents 18 years of age and older report that they are in favor of tobacco free outdoor recreation areas.

Dick McDonald – DEC Presentation – Mr. McDonald displayed the new design for Bachy’s Marina that was prepared by the Albany Design Bureau. The project will get underway as soon as the NYS Budget is passed. Monies for the project have already been earmarked.

Mr. McDonald also stated that there is a plan for the old Golden Marina Site at the Isthmus.

Clerk’s Report – April 2010 – Total State, County and Local Revenues:
\$10,030.69

Superintendent's Report – Written Report by Pat Weston –

1. The culvert pipe at the intersection of the Robinson Road and Old Town Springs Road has been installed.
2. The new parking lot at the 12E Ball Field has been completed. The stone has been donated by Luck Brothers.
3. The driveway pipe on the Old Town Springs Road, at the base of the hill, has been installed.
4. The County Route 6 project in Cape Vincent has begun; the Town of Lyme has two trucks and a dozer working on that job.
5. Inmates were here for two weeks picking up the sides of the roads.
6. The pipe on the Macomb Settlement Road has been installed and the work is complete.

RESOLUTION 2010 – 52: Motion by Councilman Johnson and seconded by Councilman Bourquin accepting Abstract #9 in the amount of \$3,465.80. Five ayes. Motion carried.

RESOLUTION 2010 – 53: Motion by Councilman Countryman and seconded by Councilman Johnson approving Abstract #10 in the amount of \$72,716.57. Five ayes. Motion carried.

RESOLUTION 2010 – 54: Motion by Councilman Countryman and seconded by Councilman Bourquin approving the March 10, 2010 Regular Monthly Meeting Minutes as submitted by Clerk Wallace. Five ayes. Motion carried.

RESOLUTION 2010 – 55: Motion by Councilman Harris and seconded by Councilman Johnson approving the April 14, 2010 Regular Monthly Meeting Minutes as submitted by Clerk Wallace. Five ayes. Motion carried.

Department Reports

Assessor's Report – Marsha Barton:

Tentative Roll Increase – The total assessment on the tentative roll is \$116,508,317.00. This number will change after Grievance Day, which is Tuesday, May 25, 2010 from 5:00 PM – 9:00PM.

	2009	2010	Increase
Total Assessment	115,129,525	116,508,317	1,378,792
Town Taxable	107,682,673	109,275,514	1,592,841
School Taxable	108,572,895	110,074,119	1,501,224
Village Taxable	11,773,752	12,062,951	289,199

If anyone has questions regarding their assessment, the Assessor's are sitting with the roll on the following dates:

Monday	May 10 th	9:00AM - 4:30 PM
Monday	May 17 th	9:00 AM – 4:30 PM
Wednesday	May 19 th	6:00 PM – 8:00 PM
Saturday	May 22 nd	9:00 AM – 1:00 PM

The assessor's will also meet anyone by appointment.

Tentative Equalization Rate:

The Town of Lyme's equalization rate for 2010 is 31%.

Lyme Central School Letter Regarding Revaluation:

According to a letter received by the Lyme Central School, the revaluation will affect their State Aid. Part of the formula used does include the wealth of the Town. They also stated that they might receive more STAR money due to the revaluation. Apparently there is no way of knowing just how much it will be affected. They do feel it is time for a revaluation.

Data Update:

The Town of Lyme is in the process of a complete Town-Wide data update. Two data collectors from Jefferson County Real Property services, Bob Ball and Tim Ritter, will be working in the Town for approximately one month. These gentlemen will be visiting each property within the Town, reviewing and updating inventory along with taking new photos. This is being done in preparation for a possible revaluation in 2013.

After much discussion the Town Board passed a Resolution supporting a revaluation, which will not begin until 2013.

RESOLUTION 2010 – 56: Motion by Councilman Johnson and seconded by Councilman Bourquin requesting Jefferson County to place the Town of Lyme on the docket so the Town can position themselves for a revaluation in the year 2013.

Roll Call Vote as follows:

<i>Supervisor Aubertine</i>	<i>In Favor</i>
<i>Councilman Johnson</i>	<i>In Favor</i>
<i>Councilman Harris</i>	<i>Not In Favor</i>
<i>Councilman Bourquin</i>	<i>In Favor</i>
<i>Councilman Countryman</i>	<i>Not In Favor</i>

Three ayes and the Motion was carried.

Municipal Water Board Report – Marsha Barton:

Water District #5:

The restoration of District #5 is complete. It looks like the contractors have done a nice job. The work will be reviewed in early fall and a letter will be sent to the customers in that district. The letter will have a section to sign off if they are completely satisfied with the work. There will also be a section where the customers can voice any concerns that may need attention. The Town has until December to have the contractors address any problems.

There is approximately \$100,000.00 left from Water District #5. Gregor Smith from Bernier and Carr is checking with Rural Development as to uses

for the remainder of the monies. The Water Board would like to see the Water District extended up the Cheever Road as far as the money would allow. They were hoping it might be enough to connect the two districts, which would allow for fire flow on Old Town Springs because of no dead end.

The Municipal Water Board has had a discussion with Steve Hall and Jon Lennox regarding a water service to their property on the Cheever Road. They have one house built and are going to build five more, providing they are able to get water. If there is enough money in District #4's water reserve fund to buy pipe, then Steve Hall has indicated that he would do the installation of the pipe. The Water Board feels this would be beneficial to the Town because of the increased assessment and it would also bring the line much closer for connecting to Water District #5. It would be approximately 400 more feet to connect the two lines. This possibility is preliminary and we cannot move forward until costs are known and it is approved by DEC and DANC.

DEC has stated they will not issue any new permits until the fourth filter is in at the Cape, so it is doubtful at this time that any new districts will be approved. This would affect the Cheever Road project, along with Swamp Road and Park Drive. The residents of 12E from the Swamp Road are circulating another petition. The residents of Park Drive may be interested in getting water even if they have to they will pay for it themselves. Since all of the procedures for any water take so long, we can move along, knowing we may be on hold until the fourth filter is in.

Water Facility:

The total revenue for 2010 thus far is \$2,072.00. There were a couple of complaints regarding the cleanliness of the facility and the issue has been addressed.

The Town Board will TABLE the decision regarding the DEC water billing for Bachy's Marina until the next meeting.

Three Mile Bay Cemetery Report – Julia Gosier:

A full burial was done on April 16th in the older, higher, drier section of the cemetery. Internment costs received were \$350.00. There are also two

spring burials scheduled in May and interment fees have been received for both.

Julie strongly suggests, considering the Town's current financial situation, that money be taken from the Three Mile Bay Cemetery savings account and transferred to the Highway Department to help cover costs of the highway employees digging graves. Julie also suggests that any expenses over and above the budgeted allotment be transferred from the savings until the account is depleted. Since the Town Board is responsible for maintaining the cemetery anyway, all necessary funds must be provided. This transfer might help with the current budget crunch.

Julie would also like to urge the Town Board to get moving on the vault repair. If it is not completed this summer, she will close it down this fall. Julie again wanted to state that she is strongly opposed to a slate roof. This is not a historic structure and the taxpayers should not have to treat it as though it is. However, we can't keep putting off the project. If the bid process is necessary, it must be done now.

Julie is very pleased with the mowing and trimming that George and Larry are doing. The cemetery looks great and she has already received positive comments about it.

Planning Board Report – Written Report by Chairman Paul Norton:

The Planning Board has met twice since the last Town Board meeting. The first meeting was to start the process of reviewing the Zoning Ordinance that needs updating. The second meeting was a joint meeting with the Village Planning Board. They are very close to completing the Comprehensive Plan. The Planning Board invites the members of the Town Council along with the Village Board of Trustees to the next joint meeting on Tuesday, June 8th at 7:00 p.m. Copies of the Comprehensive Plan will be provided in advance for review.

This will be a chance for Council Members to voice any opinions of work that has been completed.

On another note, the Planning Board lacks a secretary. After advertising, there has been one applicant for the position, Karen Cuppernell. The Planning Board waits for direction in this matter.

At 8:05 p.m. Councilman Countryman requested a short recess. The meeting was called back to order at 8:15 p.m.

Police Report – April 2010 – Submitted by Police Chief Leo Wilson

Youth Committee Report – Charlie Mount:

The two ball fields have been completed; Charlie has names of over 60 volunteers who have given their time and talents to help with this endeavor. Rob Goutremout brought his equipment and tools needed for certain phases of the work, Highway Superintendent Pat Weston donated his time and materials for the nice pressure treated benches we now have at the new ball field. Charlie thanked the Town Board and the Highway Superintendent for all their hard work they have dedicated to this project.

The Summer Rec Program will be getting into full swing with all the same employees they had last year. They had between 60 and 70 kids per day on average. For only \$1.00 a day it is an exceptional program. The children don't only have a good time but they are learning.

The Teen Centers will be closing the 1st of June.

ZEO Report – May 2010

	Issued	Denied	Resolved	Pending
Zoning Permit Applications	15	2		
Demolition Permits	2			
ZBA Applications	1		4	1
Complaints	4			
Site Visits	17			
Investigations	1			

Permits Issued For:

Deck	1
Fence	1
Home/Cottage	3
Garage	1
Pre-Built Storage Building	1
Stick Built Storage Building	2
Addition to Existing Structure	3
Sign	2
Relocate Existing Home	1
Relocate Existing Shed	2

Other Actions:

- 1. New York Land Quest Development Project**
- 2. Galloo Island Corp Dredging**
- 3. Referral Illegal Road Sign**

The Town Board needs to approve placing an ad for the Zoning /Code Enforcement Position and upon the receipt of qualified applicants, the Town Board will schedule and conduct interviews. The Town Board is stating the advertisement must include that the person hired for the position will have to develop their own forms. Attorney Gebo suggested looking at the County for the necessary information for any paperwork. Mr. Gebo also reminded the Board that they will need to establish fees.

It was also suggested that the County will need notification by July so they can plan their budget accordingly.

RESOLUTION 2010 – 56: Motion by Councilman Johnson and seconded by Councilman Harris to notify Jefferson County Code Enforcement that the Town of Lyme will appoint a local Code Enforcement Officer January 1, 2011 and the Town will advertise in the Watertown Daily Times for the position.

Roll Call Vote:

<i>Supervisor Aubertine</i>	<i>Aye</i>
<i>Councilman Countryman</i>	<i>Aye</i>
<i>Councilman Harris</i>	<i>Aye</i>

Councilman Johnson Aye
Councilman Bourquin Nay

Four ayes. One nay. Motion carried.

Dave Rush – ZEO – Seasonal Mobile Residency Permit Program – The Zoning Officers would like to initiate the program. They are recommending that an announcement be made in the newspaper so they can extend the courtesy to the residents of the Town so they are aware of the new law. They want people to understand that the law is for all parcels that have no structure on them. The Zoning Officers are going back to enforcing the existing Zoning Ordinance RV Law that addresses parcels with an existing home or cottage.

Jim Millington – Mentioned to the Town Board that we have many properties that have a large amount of accumulated trash and debris. Mr. Millington is asking the Board to consider a “clean up” day for Town residents. If the tipping fees at the Transfer Site could be waived for one or two days residents may be apt to do some necessary clean up around their yards. It was also suggested that some members of the community could get together and help those residents who are incapable of cleaning their yards themselves.

Councilman Johnson would like to have a day or two where old tires could be taken to the Transfer Site at no charge. This would provide a way for residents to dispose of their tires in the proper manner, rather than have them wind up along the roadside and in the Lake.

New Business

Annexation Request – John and Patricia Rook:

Mr. and Mrs. Rook sent a letter to the Village of Chaumont and the Town of Lyme formally requesting the Town to allow annexation of parcel #61.08-1-9.3 into the Village of Chaumont. The identified property parcel is a 17.45 acre non-functioning rock quarry located on County Route 179 in the Town of Lyme. An aerial view of the parcel was attached to the request as an enclosure.

The Rook's feel that all future plans for improvement on the stated parcel would be positively benefited by such annexation into the Village. Future plans include construction of eight seasonal rental dwellings on the property. By annexing the property into the Village the Rook's would be eligible for public water and sewer services, which would improve the property for future development. In addition, the annexation would positively benefit the Village by allowing collection of appropriately determined Village taxes.

Attorney Gebo stated that the Town and Village have to hold a Joint Public Hearing and each Board would have to vote on the matter, with each approving the annexation.

RESOLUTION 2010 – 58: Motion by Councilman Bourquin and seconded by Councilman Harris accepting the letter from John and Patricia Rook as the petition of annexation to the Village of Chaumont. Said petition was simultaneously sent by certified mail to the village of Chaumont and the Town of Lyme. Five ayes. Motion carried.

RESOLUTION 2010 –59: Motion by Councilman Countryman and seconded by Councilman Harris changing the hours of operation at the Town of Lyme Transfer Site to Wednesdays, Saturdays and Sundays from 9:00 a.m. To 6:00 p.m. The Transfer Site will no longer be open from 9:00 a.m. to 1:00 p.m. on Tuesdays and Fridays. Five ayes. Motion carried.

RESOLUTION 2010 – 60: Motion by Councilman Countryman and seconded by Councilman Johnson scheduling the date for the Wind Law Work Session Wednesday May 26, 2010 from 6:30 – 8:30 p.m. at the Three Mile Bay Fire Hall. Five ayes. Motion carried.

RESOLUTION 2010 – 61: Motion by Councilman Countryman and seconded by Councilman Harris undertaking the Municipality in connection with the Highway Work Permits issued by the State of New York, Department of Transportation. Giving Supervisor Scott G. Aubertine permission to sign paperwork as needed for forms to be completed. Five ayes. Motion carried.

Correspondence

Lyme Central School – Sandra Dudley-Rooney, Business Manager:

Regarding State Aid and the upcoming revaluation:

State Aid formulas are very complicated but in a nutshell there are two determining factors in state aid per pupil:

1. Property Wealth
2. District Income

The poorer the district the more aid it should receive and the wealthier the district the less aid. If a re-val resulted in increased wealth, in theory the school would receive less state aid. A re-val would not begin for 2 years and the new data would not affect the state aid for an additional 2 years. It would be a total of four years before the district would see a change in their state aid.

Letters Addressing Wind

Dawn and Chuck Munk
George VanAlstyne
Howard Barton
Betty Lou Kischler
Lorraine and Bill Revelle
Gary Brass
Sandy Branski
Paige Sherman
Marsha Gosier
Lloyd Higgins
Greg and Rose Hubbard

Privilege of the Floor

Dick Nagel – Hidden Harbor, Point Peninsula – Asked that the Town board try to find a way to separate the personal wind turbines from the industrial; they must be handled differently.

Charlie Mount – In regard to the Zoning issue brought up earlier in the meeting regarding the Mobile Seasonal Residency Law; fourteen days is not

enough time to let people know about the new law. Property owners have rights.

Motion by Councilman Countryman and seconded by Councilman Harris to move into Executive Session at 9:10 p.m. to discuss Collective Bargaining. There will be no Motion or discussion upon moving into open session. Five ayes. Motion carried.

Motion by Supervisor Aubertine and seconded by Councilman Johnson to move out of Executive Session and back in to the Open Meeting at 10:40 p.m. Five ayes. Motion carried.

Councilman Countryman made a Motion to adjourn tonight's meeting at 10:40 p.m.

Tonight's Meeting Minutes are Respectfully Submitted by



Kim Wallace

Town of Lyme Clerk