

Town of Lyme
November 12, 2014
Regular Monthly Meeting Minutes
6:30 P.M.

Supervisor Aubertine opened tonight's meeting at 6:30 p.m. with a Prayer and the Pledge of Allegiance followed by a moment of silence for County Legislator Bob Thomas who passed away last week.

Present at tonight's meeting: Supervisor Aubertine, Councilwoman Harris, Councilmen Bourquin, Henderson and Villa, Assessor Chairwoman Marsha Barton, Highway Superintendent Pat Weston, Town Accountant Cathy Satterley and approximately 6 others.

Supervisor's Report –Cathy Satterley

RESOLUTION 2014 – 121: Motion by Councilwoman Harris and seconded by Councilman Villa approving the September 2014 Supervisor's Report as submitted by Town Accountant Cathy Satterley. Five ayes. Motion carried.

RESOLUTION 2014 – 122: Motion by Councilman Villa and seconded by Councilman Henderson approving the October 2014 Supervisor's Report as submitted by Town Accountant Cathy Satterely. Five ayes. Motion carried.

RESOLUTION 2014 – 123: Motion by Councilwoman Harris and seconded by Councilman Villa approving a Budget Transfer from Water District #5 – 9730.7 (Debt Service Interest) in the amount of \$705.00 to 9730.6 (Debt Service Principal Account). Five ayes. Motion carried.

Privilege of the Floor

Roger Linden – Utility Service Group – Three Mile Bay Water Tower Condition Assessment: Mr. Linden explained how the Town would benefit from purchasing a "mixer" for the Three Mile Bay Water Tower to keep the water in the tank from freezing and damaging the inside of the tank. The mixer will also play an important part in maintaining water quality during the summer months; preventing the water from becoming stagnant by keeping the water agitated.

The Utility Service Group would like to contract with the Town for the management of our Three Mile Bay Water Tower. They feel with their maintenance and inspection program the Town could benefit from their services; keeping our water quality at the highest level possible and the tank in pristine condition.

Mr. Linder would provide the Town with pricing, utility assessment, a warranty and they would do all the work to maintain the tank. The risk of the tank would shift from the Town to Utility Service Group under the proposed agreement; they are covered on anything that would go wrong with the water tower.

The cost of the maintenance program is figured by the size of the tank. The length of the contract would be controlled by the Town and is renewable annually. The approximate cost for the necessary work that has been pointed out by Mr. Linder on the water tower would be \$300,000.00, worst case scenario. Payments would be spread out over multiple years, helping with the affordability of the coverage.

Highway Superintendent's Report – Pat Weston

The Highway Department has been gearing up for winter. Plows, sand and salt are all ready to go.

Clerk's Report – October 2014

Total State, County and Local Revenues:	\$6184.94
Total Local Shares Remitted:	\$5799.06

RESOLUTION 2014 – 124: Motion by Councilman Bourquin and seconded by Councilwoman Harris approving Abstract #21 in the amount of \$3,391.22. Five ayes. Motion carried.

RESOLUTION 2014 – 125: Motion by Councilman Henderson and seconded by Councilwoman Harris approving Abstract #22 in the amount of \$93,151.87. Five ayes. Motion carried.

Approval of Minutes

RESOLUTION 2014 – 126: Motion by Councilwoman Harris and seconded by Councilman Villa approving the Minutes of the following Town Board Meetings:

October 8, 2014 Regular Monthly Meeting

October 20, 2014 Budget Work Session

October 23, 2014 Budget Work Session

November 6, 2014 Public Hearing of the 2015 Preliminary Budget

Four ayes. Motion carried. Councilman Henderson abstained.

Committee Reports

Assessor's Report – Marsha Barton

Field Maintenance – The Assessors are working on their maintenance files for 2015 and the work should be completed soon. Some properties will be checked for completion by March 1st 2015.

Enhanced STAR Renewals – The Assessors have mailed out the Enhanced STAR and Senior Citizen renewals and have begun processing for the 2015 roll. All exemption forms, both renewal and new applications must be received by March 1st 2015.

Carol Quencer – Education Requirements – Carol will be completing all classes required by NYS regulations by December 31, 2014. She will complete the necessary classes for her NYS Certification in the spring of 2015.

Municipal Water Board Report – Marsha Barton

Water Bill Relevy – Per the Water Use Law, all delinquent water bills over 30 days past due must be relieved on the Town and County tax bill in January. The amount of the relevy for 2015 is \$7,384.77. Last year the relevy amount was \$8,210.36.

PAX Mixer – Gregor Smith from Bernier and Carr has reviewed all the paperwork on the system. He has sent a letter dated 9/29/14 to Mike Tracey at the NYS Department of Health asking for their approval on the mixing system. As of date, we have not received approval from the NYS Health Department.

Lance Development – Gregor Smith has also forwarded three copies of the plans, engineering letter report, technical specifications and application form to the NYS Department of Health. The letter was sent out on November 4, 2014.

Meeting Date Change – The Municipal Water Board will be holding their meeting on Wednesday, November 19, 2014 at 6:30 p.m. due to the Thanksgiving Holiday. They have also canceled their December Meeting.

CEO / ZEO Report – Jim Millington

Building / Zoning Permits Issued:	12
Certificates of Occupancy:	1
ZBA Referrals:	2
Site Visits and Inspections:	6
Complaints:	1
Investigations:	1
Permits Issued For:	
Home or Cottage:	4
Garage / Barn:	2
Deck or Porch:	1
Addition:	1
Other:	3
Septic:	1

Youth Commission Report – Scott Aubertine

The soccer program has ended and thirty-six children have signed up for the basketball program. Children range from 2nd through 6th grades.

Equipment has been moved to the 12E location for winter storage.

A special thank you has gone out to Rob Goutremout, Adam Brown and Derek Parker for their involvement in coaching the summer soccer program for the youth of our community.

Basketball coaches for the winter program will be Charlie O'Brien, Brian Peters, Jennifer Sosa and Leo Wilson.

RESOLUTION 2014 – 127: Motion by Councilwoman Harris and seconded by Councilman Henderson authorizing Supervisor Aubertine to compose a letter to the BS Recreational Farm stating that the Town Board has read the decision of NYS Agriculture & Markets stating that it is a farm operation as defined by their law and it will not be disputed by the Town. The Town of Lyme will not subject BS Recreational Farm to Special Permit Review or any other requirements of the Town's Renewable Energy Law. In keeping with direction of NYS Ag and Markets, the Town will condition the approval of the turbine to the extent it is used by a farm operation to offset the farm's electrical needs. Additionally, if the land is no longer used for agricultural purposes and ceases to be used for a farm operation as defined in AML 301 (11), the turbine is no longer protected under the AML. The Town will require Mr. Kingsley or any other subsequent owner of the land to come into compliance with the Local Zoning Code and other applicable Local Laws. The Town also requires that Mr. Kingsley or any subsequent owner of the land to have the turbine inspected annually to confirm that it is operating safely and that it is being used by a farm operation to offset the farms electrical needs. A report of the inspection and the verification of the electrical requirements must be filed with the Town Clerk before the end of each year.

Five ayes. Motion carried.

RESOLUTION 2014 – 128: Motion by Supervisor Aubertine and seconded by Councilwoman Harris TABLING the discussion regarding a Zoning Permit Penalty Fee until a later date. Five ayes. Motion carried.

RESOLUTION 2014 – 129: Motion by Councilman Villa and seconded by Councilwoman Harris approving the advertisement of a Joint Planning Board, ZBA, and Town Board Meeting on Tuesday, December 2, 2014 at 6:30 p.m. Five ayes. Motion carried.

RESOLUTION 2014 – 130: Motion by Councilwoman Harris and seconded by Councilman Bourquin scheduling a Tri Board Meeting Wednesday December 3, 2014 between the Village of Chaumont, The Lyme Central School and the Town Boards at 7:00 p.m. to be held at the School Library. Five ayes. Motion carried.

RESOLUTION 2014 – 131: Motion by Councilman Bourquin and seconded by Councilman Villa to discontinue the contract between the Town of Lyme and the Chaumont Masonic Lodge effective January 1, 2015. The Town Board will appropriate \$1,500.00 to the Masonic Lodge in the 2015 Annual Budget. Four ayes. Motion carried. Councilman Henderson abstained.

Wilson Property Update

Jefferson County Attorney, David Paulsen sent an email to Supervisor Aubertine on November 5, 2014 stating that the Board of Legislators *ad hoc* committee that is dealing with the property disposition met the week before for the first time since spring to discuss the Wilson Property. The committee directed that the property be offered for sale through sealed bid because of the interest of several parties, including the Town of Lyme. The terms of the bid require the successful bidder to contract with the County to assume title to the property upon the County perfecting its tax foreclosure, guarantee immediate UST removal and environmental remediation and indemnification of the County for any environmental liability.

A model contract and invitation to bid, with instructions will be forwarded to the Town as soon as they are prepared.

Councilman Villa stated that he is disappointed with the County; they have worked diligently for over three years. Councilwoman Harris has met with them on numerous occasions discussing their plans. Now that the County feels they can generate some income from the property they are going to the sealed bid process.

Supervisor Aubertine, Councilwoman Harris and Julia Gosier agreed to attend the next Jefferson County Board of Legislators Meeting on December 9th at 3:00 p.m. Councilwoman Harris will try to have them put on the meeting agenda for that day.

RESOLUTION 2014 – 132: Motion by Councilwoman Harris and seconded by Councilman Bourquin approving the appointment of Robin Grovesteen to the Board of Assessment Review for a five year term beginning October 1, 2014 through September 30, 2019. Five ayes. Motion carried.

Budget Work Session

The Town Board has whittled the 2015 Budget down to exactly a 2% increase. The Chaumont Volunteer Fire Department came in requesting a \$19,600.00 increase at the last minute, throwing the 2% increase out the window, making the 2015 Budget a 7.5% increase.

The Town Board discussed reestablishing the First Responder's Unit Line that was removed a few years ago. Since the Town has budgeted \$35,000.00 for the Three Mile Bay Ambulance, First Responders would be a fair item to receive funding from the Town. The First Responders generally attend all ambulance calls.

The Town Board requested and received profit and loss statements from the CVFD to show justification of their request. After much discussion the Town Board decided to pull some more money from the Fund Balance and added \$10,000.00 to line item A-4560.4 (First Responders Unit).

A Motion was offered by Councilwoman Harris and seconded by Councilman Villa adjourning tonight's meeting of the Town Board at 9:30 p.m. Five ayes. Motion carried.

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


Kim Wallace

Town Clerk