

**December 13, 2023**  
**Town of Lyme**  
**Regular Monthly Meeting 6:30 P.M.**

**Call to Order:**

Supervisor Countryman called the regular monthly meeting to order at 6:30 p.m. opening the meeting with the Pledge of Allegiance.

Those present included Supervisor Countryman, Deputy Supervisor Bourquin, Councilmember Farrell, Councilmember Villa, Councilmember Gosier, Town Clerk Ariana Henderson, Highway Superintendent Pat Weston, James Millington, Jennifer Kingsley, Charles Kingsley, Thomas Donovan, Robin Grovesteen, Ken Kasek, Susan Locy, Robert Locy, Dwight Goutremout, Heather Lipczynski and Jeff Call.

**Privilege of the Floor**

**Councilmember Bourquin:** Councilmember present Councilmember Villa with a certificate and thanked him for his 13 years of service on the Town of Lyme Board. He then presented Supervisor Countryman a certificate and thanked him for his service on the Town Board and for his two years as Town Supervisor.

**Supervisor's Report**

Supervisor Countryman reported that there is over a million dollars earning 4.25% at GS & L Municipal Bank. There was also money moved into CD accounts at Watertown Savings bank. He asked the Board for permission to move more funds from the Highway reserve account to the Highway CD account. This is due to the Town choosing to do lease the new loader instead of purchase it outright.

**Resolution 2023-167:** Councilmember Gosier made the motion to approve moving funds from the Highway Reserve account 600087 to the Highway CD account; Councilmember Villa seconded the motion; all were in favor; motion carried.

**Resolution 2023-168:** Councilmember Gosier made the motion to approve the November Supervisor's Monthly Financial report; Councilmember Villa seconded the motion; all were in favor; motion carried.

**Highway Superintendent's Report**

Superintendent Weston asked Clerk Henderson if she had received the \$55,000.00 from Equipment Rentals for the old Loader. She has not received the money so he will follow up with Equipment Rentals. They have already received the new loader.

**Clerk's Report**

Monthly Receipts were as follow: Total Local Shares Remitted: \$1,891.50; Total State County & Local Revenues: \$1,914.50 Total Non – Local Revenues: \$23.00

### **Audit of the Bills (Abstracts #21 + 22)**

**Resolution 2023-169:** Councilmember Gosier made the motion to approve Abstract #21 in the amount of \$6,687.23; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution 2023-170:** Councilmember Gosier made the motion to approve Abstract #22 in the amount of \$217,801.64; seconded by Councilmember Villa; all were in favor and the motion was carried.

### **Approval of the Minutes**

**Resolution 2023-171:** Councilmember Gosier made the motion to approve November 8, 2023, regular monthly meeting minutes; seconded by Councilmember Villa; all were in favor and the motion was carried.

### **Old Business:**

#### **RV Law:**

**Resolution 2023-172:** Deputy Supervisor Bourquin made the motion to close the RV Law Public Hearing seconded by Councilmember Gosier; all were in favor and the motion was carried.

### **NOTICE OF INTENT TO DECLARE LEAD AGENCY**

**WHEREAS**, the Town of Lyme is undertaking steps to repeal and replace Section 750 of its Zoning Law; and

**WHEREAS**, amendments to the Town of Lyme Zoning Law and all other action of the Town in connection therewith, is subject to compliance with the provisions of the State Environmental Quality Review Act and regulations promulgated thereunder at 6 NYCRR, Part 617 ("SEQR"); and

**WHEREAS**, the proposed action is a SEQR Type 1 Action, and

**WHEREAS**, all potential involved agencies have been identified and;

**WHEREAS**, at a regular meeting of this Board held on December 13, 2023 the Town Board recommended that a SEQR Type 1 Action – Coordinated review be conducted with the Town of Lyme designated as Lead Agency and seek consent from all other involved Agencies.

**NOW, THEREFORE IT IS** resolved that the Town Board shall seek consent from all identified Involved Agencies to serve as Lead Agent for a coordinated review for the project

The foregoing Resolution was offered by Board Member, Bourquin, and seconded by Board Member, Villa, and upon roll call vote of the Board was duly adopted as follows:

**Resolution 2023-173:** Deputy Supervisor Bourquin made the motion to declare the Town Board of the Town of Lyme Lead Agency for the RV Law SEQR; seconded by Councilmember Villa; all were in favor and the motion was carried.

**NEGATIVE DECLARATION FOR SEQR (Long Form)  
TO REPEAL and REPLACE SECTION 750 OF TOWN ZONING LAW**

**WHEREAS**, the Town Board of the Town of Lyme, New York has considered the adoption of Legislation in the Town of Lyme in connection with Repealing and Replacing Section 750 of its Zoning Laws; and

**WHEREAS**, the Town Board of the Town of Lyme has reviewed an Environmental Assessment Form for the purpose of assisting the Town Board in making a determination of significance in respect to the Legislation; of whether the enactment of the Legislation would have a significant adverse impact on the environment; and

**WHEREAS**, the Town has reviewed the criteria for determining significance of an action that is set forth at 6 NYCRR §617.7(c); and

**WHEREAS**, having considered the action, consisting of the adoption of the Legislation and the potential environmental impacts associated with such action, the Town Board has determined to proceed.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Lyme finds that the proposed action of adopting the legislation is subject to SEQR; and

**BE IT FURTHER RESOLVED**, that the action constitutes a Type 1 action under SEQR 617.4(b)(2); and

**BE IT FURTHER RESOLVED**, that the Town Board is the agency with jurisdiction by law to fund, approve, or directly undertake this action.

**BE IT FURTHER RESOLVED**, by the Town Board of the Town of Lyme, New York:

1. Based upon the examination and consideration of the Long Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, no significant impact on the environment is known by the adoption of the proposed legislation.
2. The Supervisor for the Town of Lyme is authorized to execute the Long Environmental Assessment Form to the effect that the Town Board is issuing a “negative declaration” under SEQR.
3. A complete copy of the EAF including its negative declaration shall be maintained in the Town Clerk’s office in a file that will be readily accessible to the Public. All subsequent notices

regarding the undertaking of the project as set forth in this Resolution shall state that a negative declaration has been issued.

4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Bourquin, and seconded by Board Member, Villa and upon roll call vote of the Board was duly adopted as follows:

|                              |                      |
|------------------------------|----------------------|
| Terry Countryman, Supervisor | yes <u>X</u> no ____ |
| Donald Bourquin              | yes <u>X</u> no ____ |
| Julia Gosier                 | yes <u>X</u> no ____ |
| Timothy Farrell              | yes <u>X</u> no ____ |
| Daniel Villa                 | yes <u>X</u> no ____ |

**Resolution 2023-174:** Deputy Supervisor Bourquin made the motion to declare a negative declaration for the SEQR Long Form to Repeal and Replace Law Section 750 of the Town Zoning Law SEQR; seconded by Councilmember Villa; all were in favor and the motion was carried.

**ENACT A LOCAL LAW TO REPEAL and REPLACE SECTION 750 – RECREATIONAL VEHICLES OF THE TOWN ZONING LAW**

**WHEREAS**, the Town Board of the Town of Lyme, New York is interested in safeguarding to the public by repealing and replacing the Town of Lyme Zoning Law Section 750 Recreational Vehicles; and

**WHEREAS**, the Town Board has evaluated the legislation in light of the State Environmental Quality Review Act (SEQR) and has determined the same to constitute a Type 1 action pursuant to 6 NYCRR 617.4(b)(2) and previously issued a Negative Declaration; and

**WHEREAS**, the Town Board has determined to proceed with legislation to repeal and replace the Town of Lyme Code Section 750.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Lyme, New York that:

1. The Town Board hereby enacts Local Law No. 4 of 2023 and which is intended to repeal and replace the Town of Lyme Code Section 750.
2. The Supervisor for the Town of Lyme and the Town Clerk for the Town of Lyme, their respective agents and employees are authorized to sign all documents and take all steps necessary to enact the legislation.

3. This Legislation shall be filed with the New York State Department of State.
4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Gosier, and seconded by Board Member, Farrell, and upon roll call vote of the Board was duly adopted as follows:

|                              |                      |
|------------------------------|----------------------|
| Terry Countryman, Supervisor | yes <u>X</u> no ____ |
| Donald Bourquin              | yes <u>X</u> no ____ |
| Julia Gosier                 | yes <u>X</u> no ____ |
| Timothy Farrell              | yes <u>X</u> no ____ |
| Daniel Villa                 | yes ____ no <u>X</u> |

**Resolution 2023-175:** Councilmember Gosier made the motion to enact a local law to repeal and replace section 750-Recreational Vehicles of the Town Zoning Law; seconded by Councilmember Farrell; Farrell, Gosier, Countryman, Bourquin YAY; Villa NAY; motion was carried.

**Personnel Policy Replacement:**

The Town's current personnel policy is from 1994. Sector HR consultants prepared new documents for the Town.

**Resolution 2023-176:** Councilmember Gosier made the motion to replace the new Town Personnel Policy with the existing policy; seconded by Councilmember Villa; all were in favor and the motion was carried.

**New Business:**

**Year End Meeting Date:**

**Resolution 2023-177:** Councilmember Gosier made a motion to advertise the Year End Meeting to be held December 28, 2023, at 3:00 P.M.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Organizational Meeting Date:**

**Resolution 2023-178:** Councilmember Gosier made a motion to advertise the Organizational Meeting be held on January 4, 2024, at 3:00 P.M.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**BAR Appointment:**

**Resolution 2023-179:** Councilmember Gosier made a motion to appoint Judi Bates to the Board of Assessment Review; seconded by Councilmember Villa; all were in favor and the motion was carried.

## Budget Transfers:

### **General Fund (A)**

|  |             |      |
|--|-------------|------|
| 1220.01.000.52 Grant Writer            | 2,500.00    |      |
| 1220.01.000.29 Clerk to Supervisor     | (2,500.00)  |      |
| 13204.01 Accountant                    | 2,600.00    |      |
| 19904.01 Contingency Acct              | (7,647.23)  |      |
| 13551.01 Assessor, PS                  | 5,312.18    |      |
| 13551.01.19 Board of Assessment Review | 2,595.38    |      |
| 13554.01 Assessor, CE                  | 972.56      |      |
| 13551.01.33 Assessor, PS               | (7,907.56)  |      |
| 14204.01 Attorney                      | 55,640.16   |      |
| 14404.01 Engineer, CE                  | (43,831.50) |      |
| 2770.01 Miscellaneous (NYSERDA)        | (5,738.25)  |      |
| 16201.01 Building PS                   | 57.45       |      |
| 16201.01.03 Building CE                | 405.04      |      |
| 16201.01 Building CE                   | (462.49)    |      |
| 35104.01 Dog Control, CE               | 604.26      |      |
| 64104.01 Publicity CE                  | (2,600.00)  |      |
| 71401.01 Summer Recreation, PS         | 3,752.35    |      |
| 71401.01.44 Summer Recreation, PS      | (3,752.35)  |      |
| 71404.01 Morristrack                   | 306.62      |      |
| 71404.01 Summer Recreation, CE         | (7,710.74)  |      |
| 81604.01 Refuse and Garbage CE         | 7,404.12    |      |
| 88104.01.22 Cemeteries TMB, CE         | 2,398.47    |      |
| 88104.01.13 Headstone Repair, CE       | (2,398.47)  | 0.00 |

### **General Fund (B.)**

|                        |            |   |
|------------------------|------------|---|
| 80101.02.24 Zoning PS  | 5,981.52   |   |
| 80101.02 Zoning PS     | (5,981.52) |   |
| 8020.02.27 Planning PS | 386.50     |   |
| 8020.02.28 Planning PS | (386.50)   | - |

### **Highway Fund (DA)**

|                              |             |   |
|------------------------------|-------------|---|
| 5130.4 - Machinery CE        | 42,900.00   |   |
| Equipment Reserve            | (42,900.00) |   |
| 51421.03 Snow Removal, PS    | 25,108.50   |   |
| 51421.03.49 Snow Removal, PS | (25,108.50) |   |
| 90108.03 State Retirement    | 13,800.04   |   |
| 90608.03 Medical Ins         | (13,800.04) | - |

### **Highway Fund (DB)**

|                                    |              |   |
|------------------------------------|--------------|---|
| 51101.04 General Repairs PS        | 6,129.27     |   |
| 5112.2 - Permanent Improvements EQ | 127,544.20   |   |
| 5112.4 - Permanent Improvements CE | 23,484.82    |   |
| 90108.04 State Retirement          | 9,404.70     |   |
| 90608.04 Medical Ins               | (9,404.70)   |   |
| 1120.04 Nonproperty tax            | (6,129.27)   |   |
| 3501.04 State Aid/CHIPS            | (151,029.02) | - |

|                            |            |
|----------------------------|------------|
| <b>Water District 1</b>    |            |
| 83101.08.48 Water Operator | 1,145.25   |
| 83104.08 Administration CE | 1,364.88   |
| 2770.08 Misc Revenue       | (2,510.13) |

**Water District 2**  
N/A

**Water District 4**  
N/A

**Water District 5**  
N/A

**Resolution 2023-180:** Councilmember Gosier made a motion to approve the Budget Transfer as written above; seconded by Councilmember Villa; all were in favor and the motion was carried.

**Veteran’s Public Park:**

**Resolution 2023-181:** Councilmember Villa made a motion to approve the Certificate of Substantial Completion for the Electrical Contract at Veteran’s Memorial Park; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Resolution 2023-182:** Councilmember Farrell made a motion to approve the Certificate of Substantial Completion for the Mechanical Contract at Veteran’s Memorial Park; seconded by Councilmember Villa; all were in favor and the motion was carried.

**Resolution 2023-183:** Councilmember Gosier made a motion to approve the Change of the Electrical Contract decrease price at Veteran’s Memorial Park; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**New Highway Garage Amended Bond Resolution:**

**AMENDED BOND RESOLUTION**

At a regular meeting of the Town Board of the Town of Lyme, Jefferson County, New York, held at the Town Offices at 12175 NYS Route 12E, Chaumont, New York 13622 on the 13th day of December, 2023 at 6:30, p.m., prevailing time.

The meeting was called to order by Supervisor Countryman and upon roll being called, the following were present:

Terry Countryman, Supervisor, Councilmember Don Bourquin, Councilmember, Julia Gosier, Councilmember Tim Farrell, Councilmember Daniel Villa

ABSENT: N/A

The following Amended Resolution was offered by Councilmember Gosier, who moved its adoption, seconded by Councilmember Farrell, to wit:

AN AMENDED BOND RESOLUTION DATED DECEMBER 13, 2023

A RESOLUTION AUTHORIZING THE ISSUE OF SERIAL BONDS OR A STATUTORY INSTALLMENT BOND OF THE TOWN OF LYME IN AN AMOUNT NOT TO EXCEED \$5,260,681, THE PROCEEDS OF WHICH ARE TO BE USED FOR SITE PREPARATION AND CONSTRUCTION OF A NEW HIGHWAY GARAGE FOR THE TOWN OF LYME.

BE IT RESOLVED, by the Town Board of the Town of Lyme, Jefferson County, New York as follows:

Section 1. The Town of Lyme, in the interests of the citizens of the Town of Lyme, hereby authorizes the issuance of serial bonds or a statutory installment bond for the site preparation and construction of a New Highway Garage (the "Project"). The estimated cost of the Project shall not exceed \$5,260,681.

Section 2. The original Bond Resolution of December 8, 2021 is amended to encompass a new cost estimate by the Town Engineers as reflected on the Revised Rural Development (RD) Project Budget/Cost Certification. The new cost estimate and the amount of this Amended Bond Resolution is \$5,260,681.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object and purpose is thirty (30) years, pursuant to Section 11.00 (a)(11)(a)(1) of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 of the Local Finance Law.

Section 4. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$5,260,681 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 5. The faith and credit of said Town of Lyme, Jefferson County, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all property of said Town, sufficient to pay the principal of and interest of such bonds as the same become due and payable.



Section 6. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of a statutory installment bond or serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer. Such Notes shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bond are to be executed in the name of the Town by the facsimile signature of its Town Supervisor), including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to

impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
- (2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this resolution taking effect, a summary of the same be published in Watertown Daily Times, the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This resolution is not subject to permissive referendum, pursuant to Section 35.00 of the Local Finance Law.

Section 11. This resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

A motion to adopt the foregoing resolution was made by Board Member Gosier and seconded by Board Member Farrell and upon a roll call vote of the Board was duly adopted as follows:

|                              |                      |
|------------------------------|----------------------|
| Terry Countryman, Supervisor | yes <u>X</u> no ____ |
| Donald Bourquin              | yes <u>X</u> no ____ |
| Julia Gosier                 | yes <u>X</u> no ____ |
| Timothy Farrell              | yes <u>X</u> no ____ |
| Daniel Villa                 | yes <u>X</u> no ____ |

The resolution was thereupon declared and duly adopted.

The above resolution is a true, complete, and accurate copy of a resolution made and seconded at a regular meeting of the Town Board of the Town of Lyme held on December 13, 2023.

**Resolution 2023-184:** Councilmember Gosier made a motion to approve the Amended Bond Resolution for the Town Highway Garage; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Municipal Solutions Contract:**

**Resolution 2023-185:** Councilmember Gosier made a motion to accept Municipal Solutions contract as our Financial Advisors for the New Highway Garage construction; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Bond Counsel Contract:**

**Resolution 2023-186:** Councilmember Gosier made a motion to accept the legal contract with Kendall, Walton & Burrows to represent the Town as their Bond Counsel for the construction of the new Town Highway Garage; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Councilmember Villa explained that the Town has gone through the bidding process for the new Highway Garage. The original contract was a year old. The Town is in desperate need of a new Highway Garage. It is not adequate for our equipment. It is currently being stored outside. The engineers are working on getting the prices down and to be affordable. The Town can afford to pay for the garage but not both buildings until we figure something out. This is why he is voting

to move forward with the garage. It will have solar panels and geothermal heat as well. He appreciates the discussion the board had with the engineers today.

**Transfer Site Sub:**

**Resolution 2023-187:** Deputy Supervisor Bouquin made a motion to advertise for a substitute employee at the transfer site; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Committee Reports**

**Assessor's Report:**

To: Terry Countryman, Supervisor  
From: Carol Quencer, Assessor  
Subject: Monthly Report for November 2023

*During the month of November, the staff has been conducting field review of new construction and demolitions. We have also conducted reviews requested by property owners. Field review will continue into 2024 to ensure we have the inventory and assessments ready for the 2024 assessment roll.*

*AG exemptions were mailed out and are starting to come back but most are missing the Schedule F, so we are following up to ensure that everyone gets renewed that needs to. The county was kind enough to print labels for us to simplify the process.*

*We continue to have Seniors coming in with income verification for both Senior Citizens exemptions and to enroll in Senior Star.*

*Marlene has switched to 1 day a week and continues to be an asset with verifying information, guidance, and getting us set up for success with the final roll.*

*Both Serena and I are enrolled in the December 8<sup>th</sup> Ethics class that is a requirement for us.*

Supervisor Countryman stated that the 485B law needs to be on the books if we are going to allow business to be on a sliding assessment scale. We have a business that is getting it now and we don't have that law in place.

**Municipal Water Board Report:**

There was nothing to report. The new water board member Renee Pettey is doing very well.

**Planning Board:**

There was no report.

**Zoning Board of Appeals (ZBA):**

The ZBA changed their meeting day to the third Wednesday of the month. This is so when someone has to attend a planning board and gets referred to the ZBA they don't have a two month turn around.

**Youth Commission:**

The Youth Commission is going to be starting a Ski Club like they have had in past years.

**ZEO/CEO Report:**

Jim Millington emailed his report to the Board. There were no questions.

**TMB Cemetery:**

Councilmember Gosier reported that there is nothing new going on.

**Cape Vincent Ambulance:**

Supervisor Countryman said there was nothing to report.

**Privilege of the Floor**

There was no privilege of the floor.

**Online Privilege of the Floor**

There was no online privilege of the floor.

**Executive Session**

There was no executive session.

**Adjournment**

**Resolution 2023-188:** Councilmember Villa made the motion to adjourn at 7:19 P.M.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Respectfully Submitted,

*Ariana Henderson*

Ariana Henderson  
Town Clerk