

January 12, 2024  
Town of Lyme  
Water Rates Public Hearing 4:00 P.M.  
485B Law Public Hearing  
Regular Monthly Meeting

**Water Rates Public Hearing:**

Supervisor Millington opened the Public Hearing at 4:00 P.M.

<b><u>Bi-monthly Rates Per EDU</u></b>				
<b>WD # 1</b>	<b>Debt</b>	<b>\$14.00</b>	<b>Water Reserve O&amp;M</b>	<b>\$9.00</b>
	<b>O&amp;M</b>	<b>\$15.00</b>	<b>Water Reserve Capital</b>	<b>\$3.00</b>
<b>WD# 2</b>	<b>Debt</b>	<b>\$35.00</b>	<b>Water Reserve O&amp;M</b>	<b>\$9.00</b>
	<b>O&amp;M</b>	<b>\$19.00</b>	<b>Water Reserve Capital</b>	<b>\$3.00</b>
<b>WD# 3</b>	<b>O&amp;M</b>	<b>\$5.00</b>	<b>Water Reserve O&amp;M</b>	<b>\$9.00</b>
			<b>Water Reserve Capital</b>	<b>\$3.00</b>
<b>WD# 4</b>	<b>Debt</b>	<b>\$25.00</b>	<b>Water Reserve O&amp;M</b>	<b>\$9.00</b>
	<b>O&amp;M</b>	<b>\$19.00</b>	<b>Water Reserve Capital</b>	<b>\$3.00</b>
<b>WD# 5</b>	<b>Debt</b>	<b>\$56.00</b>	<b>Water Reserve O&amp;M</b>	<b>\$9.00</b>
	<b>O&amp;M</b>	<b>\$20.00</b>	<b>Water Reserve Capital</b>	<b>\$3.00</b>

**Resolution 2024-5:** Councilmember Gosier made the motion to close the Water Rates Public Hearing at 4:10 p.m.; Councilmember Farrell seconded the motion; all were in favor; motion carried.

**485B Law:**

Supervisor Millington opened the Public Hearing at 4:11 P.M. He explained the law to the residents.

**Resolution 2024-6:** Councilmember Gosier made the motion to close the 485B Law Public Hearing at 4:15 P.M.; Councilmember Donovan seconded the motion; all were in favor; motion carried.

**Call to Order:**

Supervisor Millington called the regular monthly meeting to order at 4:24 p.m. opening the meeting with the Pledge of Allegiance.

Those present included Supervisor Millington, Deputy Supervisor Bourquin, Councilmember Farrell, Councilmember Donovan, Councilmember Gosier, Town Clerk Ariana Henderson, Highway Superintendent Pat Weston, Joseph Chernick, Jennifer Kingsley, Robin Grovesteen, Ken Kaser, Heather Lipczynski, Kathy Dyer, Susan Locy, Robert Locy, Charles Kingsley, David Bourquin, M.C. Mercer, JR Mercer, Lainie Taylor and Chris Jerome.

### **Privilege of the Floor**

**Councilmember Bourquin:** Bourquin stated that the Supervisor never informed him of this meeting.

**Susan Locy:** Susan Locy stated "Good evening, my name is Susan Locy. I would like to circle back on something that was said at the January 4th Organizational meeting.

My husband - Robert Locy was asked by the Supervisor Elect to be the Transfer Site Liaison and had agreed to the non-paid position.

During the meeting, Julie Gosier stated to The Board, citizens attending and Bob, I quote "that he needs to understand that with this position and with him being a contractor that he needs to be extremely careful and needs to abide by all the regulations involving dumping construction debris at the transfer site" end quote. She felt that Pat Weston might be good for the position as he is always there.

Bob explained to The Board that he has his own commercial permit at The County and generally uses that facility for debris. He also said that he had no problem with Pat assuming that position. After thinking about what she said and realizing the negative connotations, I would like to state that we both take offense to her comment and its implications about Bob and his business. Without evidence, it was totally uncalled for, unbecoming of a Board Member and potentially libelous.

Bob has never received an accusation of misuse like Ms. Gosier made in all of his 40 years in business.

Al at the Transfer Site was taken aback when we recounted the statement to him. He does his job and always comes to our vehicle, inspects our refuse and agreed that if any fee is assessed, it is paid in full.

Ms. Gosier has made assumptive, negative statements about other citizens at past Board meetings as well as this statement about Bob. It is not good public relations for the Board or Town to attack its citizens in that manner, without evidence, and in a public forum.

I would like my statement entered into the official Board minutes for tonight's meeting."

**Councilmember Gosier:** Councilmember Gosier said that she understands her concern, but she didn't believe that she accused him of anything. She did it for his benefit. She apologized for her comment.

### **Supervisor's Report**

**Resolution 2024-7:** Councilmember Donovan made the motion to approve the December Supervisor's Monthly Financial report; Councilmember Farrell seconded the motion; all were in favor; motion carried.

### Highway Superintendent's Report

Superintendent Weston thanked the Three Mile Bay Fire Department for all their help clearing brush and trees from the roads after the windstorm. Councilmember Donovan stated that residents on State Park Road requested speed limit signs. Pat said that he would check into ordering signs.

### Clerk's Report

Clerk Henderson reported that she received a petition from Supervisor James Millington on January 8, 2024, to protest the bond resolution adopted December 13, 2023, concerning the expenditure of \$5,260,681.06 for the construction of a new Highway Garage. We will now need to hold a special election. We can set the date of the election at the February meeting. The Town Attorney will be contacting the Board of Elections to see how many days we have before we need to have the election. There were approximately 120 signatures and at least 60 signatures were valid. There were only 56 signatures required.

Robin Grovesteen asked, "so this doesn't take the form of a public referendum?" It states in our bond resolution that this bond is not subject to referendum. Clerk Henderson said we will have to ask the attorney. Robin said it clearly states this in our bond resolution.

Councilmember Bouquin stated he has nothing against a petition, but he does have a problem passing a petition around with false information and lack of information. He made is clear that the building committee decided to build the highway garage first and the Town Offices would be built shortly after.

Supervisor Millington stated that he wants both buildings built. The current Highway Garage is over engineered. We can build it much cheaper with local people and have a new Town Hall as well.

Councilmember Bouquin said the bids came in high because our budget was originally done 2 years ago. The interest is locked in at 3.5% and the current rates are 9.5%. We can't lose that interest rate. We also spent thousands of dollars on legal and engineering fees.

Supervisor Millington said that spending \$185,000 on engineering fees was completely out of line. He is here to do something better because the project was mismanaged.

Supervisor Millington and Councilmember Bouquin continued to debate about the highway garage building.

Robin Grovesteen made comments regarding both buildings.

Councilmember Gosier said that the building committee has been working on this issue for many years. Both buildings need to be replaced. The Highway building is in worse shape than the Town Office. It was a difficult decision. The cost of the building now will be a savings in the future. A code enforcement officer should have condemned the building years ago. That never happened. The Town has 2 million dollars of equipment sitting outside in the weather. Once the new highway barn gets built the Town can discuss building the Town Offices. The maximum amount of the bond is 5 million dollars but that doesn't mean all of the money will be spent. The Town is currently debt free. We are very responsible about borrowing money. This special election will cost the taxpayers around \$40,000.00. We will also probably lose the bids that we received and if we re-bid the costs will go up.

Councilmember Farrell stated that when building a government building, certified payroll has to be completed which is prevailing rate. There is a large concern for our employees working out of

the current Highway Garage building. He stated that Supervisor Millington did not keep the Board informed about the petition. The Board needs to communicate and work together. Susan Locy and Robert Locy both made comments regarding the Highway Garage and Town Offices.

There was further discussion about the Town Highway Garage petition.

Councilmember Gosier stated the rules for carrying a petition.

- 1.) You can't carry a petition on government property.
- 2.) At the bottom of the petition, you are swearing that you witnessed the document being signed by the individual.
- 3.) You can't sign the petition and witness the petition.

Robin Grovesteen said that it concerns her that the Board agreed to build the Highway Garage in December with 5 unanimous votes and then in January the new Supervisor presents a petition against the project.

There was a discussion about the Town Board working together and bettering the Town instead of dividing it.

Clerk Henderson emailed the Town Attorney asking about the resolution that stated the bond was not subject to referendum. We will have to wait for his response to move forward with the Highway Garage petition.

Monthly Receipts were as follow: Total Local Shares Remitted: \$2,678.00; Total State County & Local Revenues: \$2,689.00 Total Non – Local Revenues: \$11.00

**Resolution 2024-8:** Councilmember Gosier made the motion to accept the Town Clerk's Report for December; seconded by Councilmember Farrell; all were in favor and the motion was carried.

#### **Records Grant:**

The records grant will begin on January 17<sup>th</sup> and 18<sup>th</sup>.

#### **Tax Collector's Report:**

We have collected around \$500,000.00 in taxes since the 1<sup>st</sup> of January.

**Resolution 2024-9:** Councilmember Gosier made the motion to accept the Tax Collector's Report; seconded by Councilmember Donovan; all were in favor and the motion was carried.

#### **Audit of the Bills (Abstracts #1 + 2)**

**Resolution 2024-10:** Councilmember Gosier made the motion to approve Abstract #1 in the amount of \$231.31; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution 2024-11:** Councilmember Gosier made the motion to approve Abstract #2 in the amount of \$165,801.62; seconded by Councilmember Donovan; all were in favor and the motion was carried.

#### **Approval of the Minutes**

**Resolution 2024-12:** Councilmember Gosier made the motion to approve December Regular Meeting Minutes; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Old Business:**

There was no old business discussed.

**New Business:**

**Water Rates 2024:**

**Resolution 2024-13:** Councilmember Gosier made a motion to approve the 2024 water rates as listed above; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Prepayments for Veterans Memorial Park:**

**Resolution 2024-14:** Councilmember Gosier made a motion to approve the payment for Northern Pioneer for \$100,367.07; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Final Payment for Veterans Memorial Park:**

**Resolution 2024-15:** Councilmember Farrell made a motion to approve the final payment for Northern Pioneer for \$14,535.05; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Councilmember Gosier reported that all the money being spent is covered by a grant.

**Water Use agreement Three Mile Bay Ventures (Sally Port):**

**Resolution 2024-16:** Councilmember Farrell made a motion to approve the Water Use agreement between the Town and Three Mile Bay Ventures (Sally Port); seconded by Councilmember Bourquin; all were in favor and the motion was carried.

**485B Law:**

**Resolution 2024-17:** Councilmember Gosier made a motion to approve the 485B Law as written; seconded by Councilmember Bourquin; all were in favor and the motion was carried.

**Committee Reports**

**Assessor's Report:**

There was no assessor report.

**Municipal Water Board Report:**

Water Board Chairwoman Kathy Dyer stated that the Town Clerk found the original water district petition from 2018. The petition was to extend the water line from Swamp Road West up to Indian Hill and up to Milens Bay Road. We are trying to move on these water projects because

communities around up are getting billions of dollars. She is asking if the petition can be sent to the attorney for review and to see if it is still valid. They have invited John Condino to the next Water Board meeting. The Water Board is working on updating the process and procedures for the water department.

**Resolution 2024-18:** Councilmember Gosier made a motion to send the petition for new water services to the Town Attorney; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Planning Board:**

There was no report.

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

There was no meeting.

**Youth Commission:**

There was no report.

**ZEO/CEO Report:**

There was no report.

**TMB Cemetery:**

Councilmember Gosier reported that there is nothing new going on. There was a short discussion on mowing bid advertisement. We will make the motions to advertise in February.

**Cape Vincent Ambulance:**

The regular ambulance meeting was rescheduled due to weather and they will have more information to report in February.

**Resolution 2024-19:** Councilmember Gosier made a motion to ratify the Cape Vincent Ambulance Contract as written; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Veteran's Park:**

Supervisor Millington asked who would be cleaning and maintaining the bathrooms at Veteran's Park. Councilmember Gosier said that they have a Park Committee. Supervisor Millington stated he would call Boo Harris.

**Lyme Light:**

Councilmember Bouquin would like to see an article in each Lyme Light edition recognizing the Town employees (not elected). The Town has never done something like this and he thinks it is important that the Town can recognize the people who work hard for the Town.

### Privilege of the Floor

**Susan Locy:** Mrs. Locy stated she had two questions. The public hearings were scheduled for the January 10<sup>th</sup> meeting. That meeting was rescheduled for today. She stated you must have that posted for 5 days prior to the meeting. Supervisor Millington said that this is a special meeting so that is why it was acceptable. Councilmember Bourquin said that if we make a reasonable accommodation to notify the public.

Her second question was what the process is when getting a zoning/building permit now that we use Jefferson County. Supervisor Millington explained the process a resident would take to get a permit.

**Robin Grovesteen:** Ms. Grovesteen commented that if the Town complied with the Open Meetings Law the community would have more information and the residents would be more informed about the Town. She read a statement from the Open Meetings Law. Supervisor Millington said that it is on his agenda to make sure that all the committee's reports are turned in on time.

### Executive Session

**Resolution 2024-20:** Supervisor Millington made the motion to go into executive session at 6:20 p.m. to discuss employment matters; Councilmember Farrell; seconded the motion; all were in favor; motion carried.

### Return to Open Meeting

**Resolution 2024-21:** Councilmember Gosier made the motion to enter the Open Meeting at 6:23 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution 2024-22:** Councilmember Gosier made the motion to pay the 2<sup>nd</sup> Deputy Town Clerk \$1,000.00 per month for 3 months (January, February, March); seconded by Councilmember Farrell; all were in favor and the motion was carried.

### Adjournment

**Resolution 2024-23:** Councilmember Gosier a made the motion to adjourn at 6:25 P.M.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Respectfully Submitted,

*Ariana Henderson*

Ariana Henderson  
Town Clerk