

**August 11, 2021
Town of Lyme
Regular Monthly Meeting 6:30 P.M.**

Call to Order:

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

Those present included Supervisor Aubertine, Deputy Supervisor Bourquin, Councilmember Gosier, Councilmember Countryman, Councilmember Villa, Town Clerk Ariana Henderson, Highway Superintendent Patrick Weston, Legislator William Johnson, Warren Johnson, Sheila Buckingham, and Jim Branski.

Privilege of the Floor

Warren Johnson: Mr. Johnson presented the Town Board with a petition for a water district and fire protection for the property owners on Point Salubrious. The petition was circulated by Sheila Buckingham, Jim and Sandra Branski and Stephanie Doney. There are 148 signatures and 154 properties with a value of \$30,549,200. Mr. Johnson also stated that 90% of the signers feel that a sewer district should also be pursued so the Lake can be free from pollution. Their shore wells are not dependable with the poorly regulated lake levels. Fire protection is also needed. After the fire department had their state rating downgraded it caused a significant increase in their home owner's insurance premiums. They also requested the Board file for any available grants. Before the petition was filed DANC and Cape Vincent water plant manager were contacted to make sure water was available for the project. They were assured by both parties that they could supply the water needed for the new district. Supervisor Aubertine read the rules for the petition. He stated that they would turn the petition over to the water board after Marsha Barton validates it. Mr. Johnson also added he knows Councilmember Gosier has always protected the environment and this will increase the quality of the lake. Also it is a great time to pursue it because there is infrastructure funds that may be passed by NYS soon.

Resolution 2021-119: Councilmember Villa made the motion to give the petition to the water board to begin a new water district study; Councilmember Gosier seconded the motion; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Legislator William Johnson: Legislator Johnson stated hopefully September 1st the new radio systems will be up and running for everyone including first responders.

Borrego Solar: Jerry Leone and Leah Grossman introduced themselves as senior project engineer and developer for Borrego solar. The company has been in the industry for 40 years. They were present to discuss the Ontario Valley Project, a 300 MW, and 1,800 Acre solar project in the Town of Lyme, Brownville, and Clayton. The majority of the project is in the Town of Lyme. They are still discussing land contracts with owners although there are several letters of commitment and signed easements. They do have the project crossing the Chaumont River. Several studies are being done regarding the environment. Councilmember Villa stated that they are late to the

dance if they already have signed agreements. They need to speak with Town ZEO Richard Ingerson. He stated that we already had one negative experience with the first solar project, we now have another project in the works, and now this is the third. He asked what makes the Town such a huge attraction for the solar companies. Mr. Leone responded that they will provide screening of the solar panels. This area of NYS has a high level of sunlight. We are in a very good area with not too much snow and it is a prime location to connect to National Grid power stations. Villa also questioned the developers on how long it would be before their company is sold because that seems to be ongoing with the current solar companies. Ms. Grossman said you will see this with most energy companies but Borrego has been in business for 40 years. Mr. Leone also apologized that they didn't come to the board sooner to introduce themselves and want to be transparent going forward. The Town does have an opportunity for a PILOT and HOST agreement. We are also eligible for intervening funding which will allow the Town to hire a professional representative through the 94C process. Councilmember Gosier requested a larger clearer map of the project. She stated that the Board needs to know how much of the Town will be covered by solar panels. Legislator Johnson stated that there wasn't enough power coming from the lines to accommodate all of the solar projects coming in. Ms. Grossman stated that they are expecting network upgrades for the success of this project and if necessary they will downsize. There will be a public outreach meeting and a website for the residents.

Supervisor's Report

There are some accounts that are over budget. Supervisor Aubertine questioned accountant Cathy Satterley and is waiting for a response.

Resolution 2021-120: Councilmember Villa made the motion to approve the July Supervisor's Monthly Financial report; Councilmember Gosier seconded the motion; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Highway Superintendent's Report

The Highway department has been busy working on Beach Road and helping Lyme Central School remove their playground in preparation for the new one to be delivered. Beach road is all set and they are waiting on Suite Kote to pave it. Pat would like to purchase a new lawn mower. It has been over 20 years and they need a reliable mower. He would also like to replace the 1 ton Chevy. The floor is rotting out and he said it won't pass inspection the next time around. He is in the process of pricing out a truck with the state bids. There was discussion regarding the truck and the specs. Councilmember Villa said he isn't ready to vote on the truck until Pat has set information. Pat responded he wasn't looking for a vote but wanted to introduce the potential purchase. The truck is junk and needs to be replaced sooner than later. He also requested an update on the work he needs to do at the park. Supervisor Aubertine said Gregor from Bernier and Carr will be getting in touch with Pat and updating him.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$5,978.05; Total State County & Local Revenues: \$6,019.05 Total Non – Local Revenues: \$41.00

Audit of the Bills

Resolution 2021-121: Councilmember Villa made the motion to approve Abstract #15 in the amount of \$10,426.30; seconded by Councilmember Gosier; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried..

Resolution 2021-122: Councilmember Villa made the motion to approve Abstract #16 in the amount of \$99,582.91; seconded by Councilmember Countryman; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Approval of the Minutes

Resolution 2021-123: Councilmember Villa made the motion to approve the July minutes; seconded by Councilmember Gosier; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Committee Reports

Assessor's Report:

Marsha emailed her report and stated:

We have one Small Claim hearing and one Supreme Court filing; I heard from Diane and she told me to send her everything. I have prepared all the paperwork and will be sending it tomorrow. I guess that means Joe Russell will be representing the Town, haven't heard anything different.

The Board did not have any questions.

Municipal Water Board Report:

Marsha emailed her report and stated:

Gregor is preparing the final paperwork for the Tower painting. It will be put out for bid once the Town Board approves it by January for spring work.

The Board did not have any questions.

Planning Board:

There was no questions on the Planning Board minutes.

Zoning Board of Appeals (ZBA):

There was no ZBA report.

Youth Commission:

There was no Youth Commission meeting.

ZEO/CEO Report:

Total Permit Receipts: \$2,039.00; Total RV Permit: YTD: \$900.00; Total Permit Receipts YTD - \$16,047.00.

TMB Cemetery:

Councilmember Gosier reported that she is receiving compliments on the mowing this year. She was working on changes to a plot because there were discrepancies. Everything is going well.

TMB Ambulance Committee:

Councilmember Countryman stated that the Town Board received a letter of intent from the Cape Vincent Ambulance Squad. The Three Mile Ambulance also sent a letter to the Town Board stating that the membership voted to approve the transfer of the Certificate of need for the Town of Lyme to Cape Vincent Ambulance Squad. The letter also included that they transferred their ownership of their 2012 ambulance. The process is moving along.

New Business:

5G Rollout:

Supervisor Aubertine read the letter that was received from Campanelli and Associates. In summary they advise the Town what revisions and additions must be added to its code to achieve objectives and enable them to prevent irresponsible placement of wireless facilities within the Town. Deputy Supervisor Bourquin stated that we should reach out to County Planning for feedback. Supervisor Aubertine stated that Jim Millington requested a zoning committee and that maybe they could work on this issue. Councilmember Gosier suggested hiring a professional or even Barton and Loguidice to advise the Town on this issue.

Emergency Generator Repair:

Supervisor Aubertine gave Pat the go ahead to get the generator repaired because it was an emergency. Pat had hooked up a backup generator that could be started by hand if need be. The generator is 20 years old. Deputy Supervisor Bourquin stated that we should think about replacing it soon.

Resolution 2021-124: Deputy Supervisor Bourquin made the motion to approve the emergency repairs to the generator in the amount of \$1,472.94 to Kinsley Power Systems; seconded by Councilmember Gosier; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

New Computer Water Department:

Clerk Henderson emailed the Board the specs for Water Operator Bill Scarpocchi's laptop. The specs came from Core and Main which is where the water reading software is from. Pat Weston stated that it has been a nightmare with the computer Bill currently has. Bill has to spend twice the amount of time on water readings and bills. Villa suggested looking for a durable computer through the State bidding process. Councilmember Countryman has knowledge regarding

computers. Councilmember Villa suggested Countryman research the computer we need and buy whichever one he sees fit.

Resolution 2021-125: Councilmember Gosier made the motion to designate Councilmember Countryman to research and purchase a new computer for the Water Department Operator; seconded by Councilmember Villa; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Solar Project Concerns:

Councilmember Gosier suggested putting together some kind of map that gives us an idea on where it would be acceptable to have solar panels. This way when companies come in the Town would have designated areas they don't want solar panels. We have to have some idea in place of what we accept for solar arrays. One positive thing about solar coming into our Town is it could help fund our ambulance. Councilmember Countryman said he thought we had no control over the solar projects when they fell under the 94C process. Supervisor Aubertine stated that we can't prohibit anything in our zoning law. Councilmember Gosier stated that we need to put serious thought into the matter. Councilmember Villa suggested contacting Steve Le Fevre from Barton and Loguidice to discuss what the Town can do to improve their zoning laws regarding solar.

Resolution 2021-126: Councilmember Gosier made the motion to advertise for the meeting with Steve Le Fevre from Barton and Loguidice regarding solar and any other issues that may come before the board; seconded by Councilmember Countryman; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

STRU Discussion:

Resolution 2021-127: Councilmember Villa made the motion to submit the Short Term Rental Unit Law to County Planning and have a public hearing September 8, 2021 at 6:15 p.m.; seconded by Councilmember Gosier; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Resolution 2021-128: Councilmember Gosier made the motion to declare the SEQR for the Short Term Rental Unit Law a negative declaration; seconded by Councilmember Villa; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Cannabis Legislation:

The Board had a discussion regarding opting out of the law. In order for the Board to be able to opt out of the NYS Cannabis Law, they have to pass a local law by the end of 2021 or you can never opt out the way the law is currently written. The Town will still will have the residents vote on the issue in November and can opt back in at a later date.

Resolution 2021-129: Councilmember Villa made the motion to hold a public hearing for Cannabis Legislation September 8, 2021 at 6:25 p.m.; seconded by Councilmember Countryman; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Old Business:

Transfer Site Fees:

Supervisor Aubertine stated there are a few concerns regarding the transfer station. Pat Weston would like the money being brought into the transfer station to be accounted for. We are being charged several fees from the County Recycling Center and we need to make sure we are charging an adequate amount for items. Clerk Henderson stated that she has received complaints that not everyone is getting charged the same amount for bringing in debris/construction material/household items, etc. Deputy Bourquin stated that the transfer site employees are now writing on the back of the receipts what the money is for. He said the only way to regulate what people are being charged is to buy a scale. The employees do it by the size of the truck and trailer and do the best they can. Scales are very expensive and it would be a huge investment for the Town. Councilmember Villa said that when he was there last week it is becoming a mess again. Items are being saved outside of the dumpsters and it is unnecessary. Supervisor Aubertine and Deputy Bourquin were at the transfer site 2 weeks before the meeting and told the employees to clean up the building and the junk. There was further discussion on fees at the transfer site. Clerk Henderson is going to make a spreadsheet to try and track the fees brought in at the transfer site from the receipts that are given to her.

Online Privilege of the Floor

There was no online privilege of the floor.

Privilege of the Floor

There was no privilege of the floor.

Executive Session

There was no executive session.

Adjournment

Resolution 2021-130: Councilmember Villa made the motion to adjourn at 9:30 p.m.; seconded by Councilmember Gosier; Bourquin, Countryman, Villa and Gosier AYE; Aubertine ABSTAINED; Motion carried.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk