

**May 12, 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, Code Enforcement Officer Jim Millington and Highway Superintendent Weston.

Privilege of the Floor

There was no privilege of the floor. There was a discussion regarding Jefferson County readdressing Occupancy Tax. Councilman Villa believes it would be a good idea for the County to check into this as a possible law for the Town.

Resolution 2021-68: Councilmember Villa made the motion to send a letter encouraging the County to research an Occupancy Tax Law regarding bed tax on Air BnB and VRBO; Councilmember Gosier seconded the motion; all were in favor; motion carried.

Supervisor's Report

Resolution 2021-69: Councilmember Gosier made the motion to approve the April Supervisor's Monthly Financial report; Councilmember Countryman seconded the motion; all were in favor; motion carried.

Clerk Henderson asked if a new bank account was needed to be opened for the Riverside Solar Escrow payment. Supervisor Aubertine responded *no* and to make sure the deposit is clearly marked.

Highway Superintendent's Report

Bi Centennial Park:

Pat Weston stated that he had no updates on Bicentennial Park. He is waiting for an estimate from Bach. Deputy Supervisor Bourquin stated that we would need to have the project ideas approved through the Addie Jenne organization in order to receive the funds.

Playground Equipment:

Supervisor Aubertine stated that there was a meeting held at the school to discuss the Town and Village taking the old Lyme Central School playground equipment. They agreed that the School would dismantle the playground and the Town would remove the poles with our equipment and the Village would remove the berms. Pat Weston stated he may be able to help on the weekends but it too busy to do it during a work week. Supervisor Aubertine stated that the playground is in good shape and we will need a playground at Veteran's Park. The question arose of why the

school was replacing the playground. Councilmember Countryman stated that it is 25 years old and some of the equipment is missing parts and pieces and it is hard to find the parts. There were safety concerns about the children getting hurt from the teachers.

Resolution 2021-70: Councilmember Gosier made the motion to accept the Lyme Central School playground equipment (the equipment that the Village does not have use for) and allow Pat Weston to use the Town Equipment when time allows or on the weekend; Councilmember Countryman seconded the motion; all were in favor; motion carried.

CHIPS:

Resolution 2021-71: Councilmember Gosier made the motion to approve the CHIPS expenditure for \$173,354.76; Councilmember Villa seconded the motion; all were in favor; motion carried.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$5,676.10; Total State County & Local Revenues: \$5,721.60 Total Non – Local Revenues: \$45.50

Audit of the Bills (Abstracts #9 & #10)

Resolution 2021-72: Councilmember Countryman made the motion to approve Abstract #9 in the amount of \$9,894.80; seconded by Councilmember Villa; all were in favor and the motion was carried.

Resolution 2021-73: Councilmember Countryman made the motion to approve Abstract #10 in the amount of \$52,491.00; seconded by Councilmember Villa; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2021-74: Councilmember Villa made a motion to approve the April 14, 2021 Minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2021-75: Councilmember Countryman made a motion to approve the April 29, 2021 Minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Committee Reports

Assessor's Report:

Equalization Rate

Our equalization rate for 2021 is 99%. We lacked ¼ of 1% to keep it at 100% since the 2013 Re-val.

Tentative Roll Assessment Increase

2020	2021
Assessed Total 423,657,226	427,970,007
Increase 4,312,781	
Town Taxable 399,958,369	403,565,413
Increase 3,607,044	

This is more of an increase than we have seen in recent years, but as we know we will lose some in the Grievance Procedure.

Grievance Day

Grievance Day is Tuesday, May 25th- 12:00-8:00 PM. Appointments are encouraged. This will be the first Grievance Day that I have missed in 34 years. I am scheduled for Chemo on the 25th. I am still preparing our documentation in defense of our assessments for the girls.

Solar Project Assessment

I have been doing some more research on assessing our solar projects. I spoke with JCIDA. The current project being built has not applied for a PILOT. They did say they had just received a letter from the Schools attorney informing them that they will now consider a PILOT. They said JCIDA would not be interested in doing a PILOT at this time because the project is almost complete. They usually enter into PILOTS before the project begins. They did share two appraisals that were completed for other projects.

I also spoke with the Clayton Assessor and she has offered to help me in any way she can. I am also going to contact the Town of LeRay Assessor. JCIDA said he has done a lot of work on assessing Solar Projects. I will update you when I have more information.

Supervisor Aubertine stated that the equalization rate is now 99%. The Board would like Marsha to explain how it works and why it changed.

Municipal Water Board Report:

Water Facility Update

The Water Facility Project is coming along nicely. There have been a couple of setbacks that are delaying the construction a little. Northern Glass is on backorder for the door. It should be in

soon. Also, the welder that is working on the new stainless steel is running a little behind because he has so much work. Everything should be coming together and it is expected the project will be completed by May 19th, per the contract.

Water Tower Project

I spoke with Gregor on May 6th. He will have the paperwork complete and be ready to submit to the Town Board soon. He is working on an estimate for containment.

Webinar- May 3rd

I attended the webinar presented by Syracuse University “Paying for Drinking Water & Wastewater Projects”2021 update. I did not find it that informative. Most of the information we had already heard in another webinar. The most important fact was the amount of the grant available for our MHI is 45% at this time, instead of 75%. Unless this increases, most water projects for Lyme would be too expensive for the property owners.

If a municipality receives a grant from any other state agency, the amount of your Rural Development grant would be reduced by that much.

For any of the grants, the Town must have an IVP (Intended Use Plan) on file for the current funding year or your grant request would not be considered. Gregor filed an IVP for the current water project we have been working on would be considered if something becomes available.

Councilmember Villa stated that the Water facility should not be taking a month to build. He stated that the door should have been ordered in December when the project was approved. Pat Weston reported to the board that the Town had to dig up the main and curb stop and replace the piping to turn off the water to the facility. He stated that the piping is “2 inch” if the Town ever wanted to install a spout for bigger trucks to get water.

Planning Board:

The Planning Board emailed their minutes to the Town Board. In their minutes they stated that “Alternate Member Discussion- It was determined that Jacob Savage will be the first alternate member, with a presentation to the Board to have Jose Bernier as a second alternate member, if approved.” Supervisor Aubertine stated “we have budgeted \$770 for the Alternate position. I am not sure if a decision was ever made as to how that person/position would be paid. If paid only when filling in, having two alternate members may be doable.” Deputy Supervisor Bourquin said that the alternate gets paid for attending the meeting. They get paid even if they don’t attend the meetings. The Board agreed the planning board would only need one alternate. They suggested that Mr. Bernier apply for the ZBA alternate position.

Resolution 2021-76: Deputy Supervisor Bourquin made a motion to appoint Jacob Savage as the Planning Board Alternate; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Zoning Board of Appeals (ZBA):

There was no ZBA report.

Youth Commission:

The Youth Commission are looking for coaches. Shawn Martin mentioned that there are spots on the baseball field that are too wet to be mowed. Supervisor Aubertine agreed that we didn't want to ruin the field and to wait until it dried up. The yellow plastic covering for the fence has been ordered. It will be around \$2,495.00. It is a safety issue and needs to be replaced.

ZEO/CEO Report:

Mr. Millington reported that he is working well with Zoning Enforcement Officer Richard Ingerson. They have a system that works well. Mr. Millington has completed 30 hours of training and the State only requires 25 hours.

Total Permit Receipts: \$3,258.00; Total RV Permit: YTD: \$300.00; Total Permit Receipts YTD - \$5,556.00.

Zoning Law Study Committee:

The Zoning Committee has turned their work over to the Planning Board. The planning board has requested the County Planning head Andy Nevin to come to their next meeting. The zoning map and plan that was presented to the board in 2017 is the route the board is looking to go. They would like to go over it with Andy Nevin who is experienced and can input suggestions. The committee won't be completing any more work until they are asked.

TMB Cemetery:

Councilmember Gosier has been communicating with Shawn Martin about the mowing of the cemetery. It has been difficult because it is so wet and muddy. No burials have taken place. They usually start calling the last week in May.

TMB Ambulance Committee:

Councilmember Countryman and Councilmember Villa attended the fire meeting May 10th. They couldn't get a motion to extend the Ambulance Contract with Guilfoyle. The reason there was an extension request was so the committee could work through all of their options. The motion finally passed but it was only to extend the contract for 3 months. There were several members of the fire board that would like to reach out to Cape Vincent and see if we could work with their ambulance. Councilmember Countryman talked with TIERS but hasn't received any numbers back. He believes that the TMB ambulance should bill the Town for the extension of the contract to create less confusion or re-writing the contract. Councilmember Villa stated that there is no easy solution in this matter. There is not enough ambulance calls to pay for a 501c3 and there is not enough people to man it. They also learned that in order to drive an ambulance an 8 hour course and driving class is required. There was further discussion on how to find more drivers.

Resolution 2021-77: Deputy Supervisor Bourquin made the motion for the Town to reimburse the Three Mile Bay Fire Department for the cost of having a Guilfoyle EMT at the Fire Hall from 7:00 a.m. to 7:00 p.m.; seconded by Councilmember Villa; all were in favor and the motion was carried.

New Business:

Resolution for Court Audit:

Resolution 2021-78: Councilmember Villa made the motion to approve the 2021 Justice Court Audit performed by Councilmember Countryman and Councilmember Gosier.; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Transfer Site Bin Grant:

Deputy Supervisor Bourquin stated that the Town purchased a new transfer site bin last fall. This was to allow us to have an extra bin for overflow recyclables. The County is low on bins and is now using our cardboard bin to transport and we are short a bin. One of the bins at the transfer site is in rough shape; we need to replace it. The trucking cost would be the same whether we bought one or two bins. His thoughts were to buy an extra bin to have for a backup and save money on the shipping. He asked Executive Assistant Robin Grovesteen to check into a grant program to get reimbursed for half of the cost of each bin. There is a three year wait before they look at the applications or we would receive any funds. There was further discussion on replacing the transfer site bins. Another discussion was brought up regarding the residents not receiving transfer site stickers to use our facility. Councilmember Villa expressed his concern about this matter and about the congestion at the transfer site. He presented a map a year ago which would help with the flow of traffic. Employee Al Crouse believed that it would be too dangerous where the cars would enter the transfer site off of County Route 57. Supervisor Aubertine agreed with Al's thoughts.

Resolution 2021-79: Councilmember Villa made the motion to buy two transfer site bins so the Town has a spare bin and for the Town to become vigilant on residents receiving permit stickers and that the town studies the congestion at the transfer site and find a solution; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Resolution 2021-80: Deputy Supervisor Bourquin made the motion to apply for the Transfer Site Grant; seconded by Councilmember Gosier; all were in favor and the motion was carried.

LYC Recommendations:

Supervisor Aubertine stated that there has been a parent request for a child to play "up" in soccer. The By-Laws state that the child needs to be evaluated for size and skill level. There are three coaches that agree the player meets the requirements of the by-laws.

Resolution 2021-81: Councilmember Gosier made a motion to spend up to allow for the player to play a level up as a recommendation from the Youth Commission coaches; seconded by Councilmember Villa; all were in favor and the motion was carried.

ZBA Recommendations:

Resolution 2021-82: Councilmember Gosier made a motion to advertise for a ZBA alternate member; seconded by Councilmember Villa; all were in favor and the motion was carried.

Set Work Session Date and Advertise:

There was a discussion regarding the visualization pictures for Riverside Solar. The Board considered having a special meeting to discuss which pictures they would request. They decided to wait until June to discuss the Town fee schedule.

Resolution 2021-83: Councilmember Gosier made the motion to advertise the work session to discuss the Town of Lyme Fee Schedule June 16, 2021 at 7:00 p.m.; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Old Business:

New Highway Garage/Town Offices:

Councilmember Villa explained that the building committee had a meeting on Monday. They reviewed a few items and plans for new Town Offices and Highway garage. The buildings need substantial repairs and the committee feels it is time for a new building. The potential location of the new buildings will be on 12E by the Town's salt barn. The committee is sharing their ideas and will be receiving a drawing within the next month or two and the committee will meet again.

Court Cell Phone:

Supervisor Aubertine read Judge Curtis' email to the board. "As you have been made aware of the court needs a new phone. The current one is not working properly for the court clerk. Due to recent legislation, there are new mandates required of the court, including texting, which the current malfunctioning phone does not properly allow. The upgraded new phone will cost nothing. The cost for line access does increase, from \$179.88 per year to \$459.12, per year, a difference of \$279.24. This works out to an additional \$23.27 per month or a miniscule \$.76 per day. I don't think such a tiny amount will burden the taxpayers, but it will make the court clerk's job easier and more productive. To offset the increase some, the court will eliminate the extension it has for a land line, at the -2788 number, thereby making the court clerks phone the primary contact number for court accessibility from defendants, attorneys and the general public. The fax line will still need to be maintained and the Judges phone numbers will also remain as contact points also. The court would like to get this taken care of as soon as possible." There was a small discussion regarding the court clerk's cell phone.

Resolution 2021-84: Councilmember Villa made the motion to allow for the Court Clerk to receive a new cell phone; seconded by Deputy Supervisor Bourquin; Bourquin, Countryman and Gosier AYE; Aubertine and Villa NAY; Motion carried.

STRU:

Councilmember Gosier is interested in having the STRU owners register with the Town so that there is a 24/7 contact person for the rental property. There has been several incidents in the last year and it was hard to get in touch with the owner of the property. In most cases the owners are going to take good care of their property and Air BnB has strict regulations. It is a good industry for the town but a contact person does need to be available. Councilmember Villa stated that he submitted a very basic STRU law which was copied from a law in another Town. It does exactly what Councilmember Gosier was saying and follows NYS building codes. The two major items it addressed was parking and overloading a home with too many people. The two most complained about issues was parking and number of people in the rentals. He said he would be happy if there was a registration that has a contact information for the owner and an alternate person to contact if the owner was unavailable. Supervisor Aubertine and Deputy Supervisor Bourquin met with two members of the STRU committee and came up with a registration form and law. Supervisor Aubertine will send the law out to the Board again and they will discuss it at the June meeting.

Resolution 2021-85: Supervisor Aubertine made the motion to table the discussion until the June Town Board meeting; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Sending Codes to County:

Resolution 2021-86: Supervisor Aubertine made the motion to advertise the Public Hearing June 9, 2021 at 6:15 p.m. regarding sending Code Enforcement back to Jefferson County; Aubertine, Countryman, Villa and Gosier AYE; Bourquin abstained; Motion carried.

Open Meeting to Public:

Resolution 2021-87: Supervisor Aubertine made the motion to hold the June 9, 2021 Town Board Meeting at the Three Mile Bay Fire Hall; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2021-88: Supervisor Aubertine made the motion to open the Town Board Meetings to the public under the Coronavirus guidelines; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Online Privilege of the Floor

There was no online privilege of the floor.

Privilege of the Floor

Marla Cohen: Mrs. Cohen asked Councilmember Gosier to expand on the plans of the committee. Councilmember Gosier explained that the committee has turned their work over to the Planning Board. The Planning Board is going to be receiving guidance from Jefferson County Planning. The committee recommended a waterfront zone that will be more extensive. There are no set plans in place. The ideas are being based off the 2017 zoning map that is located at the Town Office if anyone is interested in looking it over. Mrs. Cohen also asked how much impact the zoning committee has on the planning board and why we had the committee. Councilmember Gosier responded that the Planning Board makes their own decisions. The reason for the Zoning Committee was to address the moratorium and the concerns of the residents. They are trying to make it as fair as they can and it is now in the hands of the Planning Board.

Executive Session

Resolution 2021-89: Supervisor Aubertine made the motion to enter Executive Session at 9:05 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2021-90: Councilmember Villa made the motion to close Executive Session at 9:30p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Return to Open Meeting

Resolution 2021-91: Councilmember Gosier made the motion to enter Open Meeting at 9:31 p.m.; seconded by Councilmember Countryman; all were in favor and the motion was carried.

Adjournment

Resolution 2021-92: Councilmember Countryman a made the motion to adjourn; seconded by Councilmember Gosier; all were in favor and the motion was carried; meeting was adjourned at 9:35 p.m.

Respectfully Submitted

Ariana Henderson

Ariana Henderson
Town Clerk