

October 11, 2023
Town of Lyme
Public Hearing Prohibition of Clutter, Litter,
Debris and Other Waste Law 6:15 P.M.
Public Hearing RV Law 6:20 P.M.
Regular Monthly Meeting 6:30 P.M.

Prohibition, Clutter, Litter, Debris and Other Waste Law Public Hearing:

Supervisor Countryman opened the Public Hearing at 6:15 P.M.

Jennifer Kingsley: Ms. Kingsley stated that the proposed law did not include an Agricultural Exemption. She suggested the Town consider adding a clause that exempts farmers from the proposed law. Clutter to some residents is useful for farmers. Tires can be used in various ways, old tractors and cars can be used for parts. Old buildings store hay. Her main concern is that a farmer will have to spend their dollar to prove in court that they are exempt from the law. This is not necessary. She read a section of the NYS law that there should be exclusions for farmers. George Jones agreed that there should be an agricultural clause. Deputy Supervisor Bourquin and Councilmember Gosier believe that there should be a sentence added as a disclaimer that farms are exempt. Tina Fahringer asked how far the disclaimer would go for a farm. Where would the line be drawn. Councilmember Villa stated that in the past several residents claimed to be farms because they hay a field or grow crops. Every Town/County Zoning law does not write a clause that farmers are exempt from that law. The farms can be exempt, but it does not have to be written in the law. It never has been in the past. Supervisor Countryman is going to ask the Town attorney for his legal advice on the matter.

487 Law:

Supervisor Countryman said that the Public Hearing will remain open. The revised law was not received from Barton and Loguidice.

Jennifer Kingsley: Ms. Kingsley asked if the issue regarding the RV law stating if you own the property, you can't have an RV on it was resolved with the revision. If family members want to bring their camper to visit for the weekend it is currently illegal. Supervisor Countryman said that was one of the main reasons for changing the law. The new law will reflect this change.

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, Joseph Chernick, Jennifer Kingsley, Hartley Bonisteel Schweitzer,

George Jones, Legislator William Johnson, Charles Bruce Kingsley, Heather Lipczynski, Jim Millington, and Tina Fahringer.

Privilege of the Floor

Legislator William Johnson: Mr. Johnson reported that the County has received signed Snow and Ice Contracts from all the Towns.

Supervisor Countryman asked is there had been any movement on the Solar PILOT agreements. Mr. Johnson said there has been no movement. NYSERDA contacted the Town of Lyme on how the process has been with Riverside Solar. Supervisor Countryman responded that everything has been great so far.

Jennifer Kingsley: Ms. Kingsley asked if the results of the testing from the Solar Fire came back. Supervisor Countryman said that we have heard and have seen nothing. NYS DEC is the organization doing all the testing.

Hartley Bonisteel-Schweitzer: Ms. Bonisteel-Schweitzer was present from Labella Associates to explain how her company could help the Town obtain grants and sustain current grants. They write grants for communities that have less than 5,000 people. There are architects and engineers that also work for Labella. They are usually paid for through the grant. The administration costs for writing the grants would be included in the grant. Ms. Bonisteel-Schweitzer stated that the Town reached out originally for help to receive the Addie Jenny funds that were previously rewarded. The Town is receiving \$125,000.00 for Bi-Centennial Park. Some ideas include a pavilion and shoreline improvements. Labella would manage the entire project and assist in the bidding of the project. Jim Millington asked where the grant money came from. Ms. Bonisteel-Schweitzer said ultimately taxpayer dollars. He also asked how Labella was funded and she responded that it was a private company. Councilmember Villa explained the Addie Jenny grant to Jim Millington and the residents. Councilmember Villa asked Ms. Bonisteel-Schweitzer what the hourly rate would be for this project. Ms. Bonisteel-Schweitzer said it would be based on who is working on the project but will send the Town a relevant rate table.

Supervisor's Report

Resolution 2023-133: Councilmember Gosier made the motion to approve the September Supervisor's Monthly Financial report; Councilmember Farrell seconded the motion; all were in favor; motion carried.

Veterans Memorial Public Park: Supervisor Countryman read the email update from BCA.

Contract No. 1 – General Construction

- Recent progress includes completion of the rock wall, shoreline plantings, park plantings, rain garden, and pathway cleanup.
- The contractor is planning on paving the walking paths next week.
- Restoration and curbing are to be completed after paving is complete.
- Dock/kayak launch installation is to occur next spring.

Contract No. 2 – Electrical

- The electrical contract is considered substantially complete.

Contract No. 3 – Mechanical

- The mechanical contract is considered substantially complete.
- One punch list item has been noted to fix a minor leak in the women’s bathroom.

Councilmember Villa asked for an anticipated installation date for the dock and kayak launch for next spring. He stated that we should have a specified date. Pat Weston said that no one asked him to haul the materials for paving. He completed his portion and can’t continue until after the paving is complete.

Highway Superintendent’s Report

Superintendent Weston reported that the CHIPS paperwork can now be filed. All the projects are complete. FEMA is going to pay for the work that was completed four years ago. We should see the money in the bank account in about 2 weeks. The Bicentennial Park shoreline project can still be submitted as a FEMA project. It is an ongoing discussion on whether it will be reimbursable. The Village is looking to replace the fencing at the Beach. If we have money leftover from the Addie Jenny grant we can replace our portion of the fence as well.

Pat Weston has asked to replace the loader before it is too late, and repairs start multiplying. Councilmember Villa asked Pat if he had investigated leasing a loader and if it would be feasible. He wondered if the price would be comparable to the price we would be paying for a new loader and we would be upgrading the equipment every 2 years instead of 10. Pat is going to research it further and the Board will revisit this purchase in November.

Pat also asked to purchase a skid steer. He had to use Powis’ to finish his projects in the park. He has several uses for a skid steer. He borrows Cape Vincents and Brownville when they need one but it is usually not available. He could haul the new one behind a pickup truck and is much easier to use than the excavator. There was further discussion with the Board.

Resolution 2023-134: Deputy Supervisor Bourquin made the motion to purchase a 2017 New Holland Skid Steer for \$42,900.00; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Hiring 7th HWY Employee: Pat stated that he and his crew have taken on a lot more work including Veteran’s Park. This summer is George’s last summer working for the Town. Pat has been working in the field with the guys which takes away from office time and paperwork. Pat thinks it would cost approximately \$65,000.00. The Board asked Supervisor Countryman to come up with a figure on how much it would cost. Councilmember Villa said he thinks it will cost more than that and it will be a long-term expense. It is hard for him to consider since he received the email just this afternoon. He also stated Pat wouldn’t ask for another employee if he didn’t need it. Pat said that he has two guys leaving next year and he said a new guy can be trained by the most experience employees.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$5,030.80; Total State County & Local Revenues: \$5048.80 Total Non – Local Revenues: \$18.00

Audit of the Bills (Abstracts #17 + 18)

Resolution 2023-135: Deputy Supervisor Bourquin made the motion to approve Abstract #17 in the amount of \$1,571.80; seconded by Councilmember Villa; all were in favor and the motion was carried.

Resolution 2023-136: Councilmember Gosier made the motion to approve Abstract #18 in the amount of \$114,417.28; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2023-137: Councilmember Gosier made the motion to approve September 13, 2023, regular monthly meeting minutes; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2023-138: Councilmember Farrell made the motion to approve October 5, 2023, budget work session minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Old Business:

There was no Old Business.

New Business:

New Water User:

Resolution 2023-139: Deputy Supervisor Bourquin made a motion to approve Brian Cosselman as a new water user at County Route 5, Three Mile Bay, NY; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Water Board Member:

Resolution 2023-140: Councilmember Gosier made a motion to appoint Renee Pettey to the Vacant Water Board position; seconded by Councilmember Villa; all were in favor and the motion was carried.

Municipal Dog Agreement:

Resolution 2023-141: Councilmember Gosier made a motion to approve the Municipal Dog Agreement as written for the year 2024; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Committee Reports

Assessor's Report:

Marlene Norfolk continues to support the assessment department. The last three weeks the ladies have been in the field with Jefferson County. Supervisor Countryman thanked the county for riding along with them to update properties. The changes that are being made are great.

Municipal Water Board Report:

The Water Board met with Supervisor Countryman last week. He shared the budget process with them. They are engaged in learning the process and how everything works.

Planning Board:

There was no questions on the Planning Board minutes.

Zoning Board of Appeals (ZBA):

There was no meeting.

Youth Commission:

The Youth Commission was upset that the Town Board did not agree that they need a new shed for the 12E ballfields. Supervisor Countryman said that he went and looked at the building and it is falling apart. He told the Youth Commission that when the Town builds a new office building they can have the shed we currently use for records. There is also room in the larger shed at the fields that can be a temporary fix.

ZEO/CEO Report:

Jim Millington emailed his report to the Board. Councilmember Gosier asked about the lifted condemnation on the property 7550 NYS Route 12E Three Mile Bay. Mr. Millington responded that when the property was condemned there was no running water in the kitchen, there was no bathroom sink and the hot water heater was not working. There is now running water in the kitchen and bathroom, a new bathroom sink and a new hot water heater. He stated that someone is restoring the entire inside of the building. Councilmember Gosier asked is he checked to see if the well was still contaminated. Mr. Millington stated that he tasted the water and it was fine.

TMB Cemetery:

Councilmember Gosier reported Mark Docteur completed the work cutting the shrubs and trees to the roots. He did a phenomenal job. Councilmember Gosier stated that she is currently working on calling every non-religious cemetery for their pricing scale. Our current prices are way lower than they should be. She also is questioning their process for digging graves, Clerk Henderson put an ad for digging graves in paper and had no response. One suggestion that was discussed is if it would be beneficial if the cemetery had its own backhoe that was stored in the shed that is already on the property. Councilmember Gosier said currently the going rate to dig a grave is \$365.00 for a full grave and \$200.00 for a cremains burial. Heather Lipczynski said that at

the Cedar grove cemeteries they are being charged \$575.00. She is hoping both cemeteries can be turned over to the Town in January or February. There were further ideas discussed about how to solve digging graves for the cemeteries.

Cape Vincent Ambulance:

Jeff Call attended the budget work session meeting and updated the board on the Cape Vincent Ambulance. There were no questions.

Privilege of the Floor

Joseph Chernick: Mr. Chernick stated that he had 4 questions for the Board.

4.) Is Point Peninsula ever going to receive public water?

Supervisor Countryman said it is up to the people to get a petition signed and present it to the Board. The interest should come from the water users.

3.) Do you need a license in the Town to run an Air BnB?

He said that residents living next to Air BnBs are complaining about the noise levels of the Air BnBs. Supervisor Countryman stated that you must register your Short-Term Rental with the Town. There is a form that is filled out and given to the Zoning Enforcement Officer.

2.) When is the Town going to pass a Maintenance Law?

The Board responded that there was a public hearing at the beginning of the meeting discussing the maintenance law the Town would like to pass in November.

1.) The people in the Town do not want to go to Jefferson County to get a Building Permit.

He stated that the people are going to build without permits. The Town is losing money by sending Codes to the County. Councilmember Villa responded that they will have to tear their building down or pay fines and double permit fees if residents build without permits. They can also be taken to court to resolve any issues.

Online Privilege of the Floor

There was no online privilege of the floor.

Executive Session

Resolution 2023-142: Councilmember Villa made the motion to go into executive session at 7:53 p.m. to discuss employment matters; Councilmember Gosier; seconded the motion; all were in favor; motion carried.

Return to Open Meeting

Resolution 2023-143: Councilmember Farrell made the motion to enter the Open Meeting at 8:45 p.m.; seconded by Deputy Supervisor Bourquin; all were in favor and the motion was carried.

Adjournment

Resolution 2023-144: Councilmember Villa a made the motion to adjourn; seconded by Councilmember Gosier; all were in favor and the motion was carried; meeting was adjourned at 8:46 p.m.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk