

September 13, 2023
Town of Lyme
Public Hearing RV Law 6:15 P.M./487 Law 6:20 P.M.
Regular Monthly Meeting 6:30 P.M.

RV Law Public Hearing:

Supervisor Countryman stated that the Jefferson County Planning Board suggested keeping the RV Law Hearing open to change a few definitions. Supervisor Countryman said that he read through the law again today and it all boils down to enforcement. If we enforce this law the Town will be in good shape.

Judi Bates: ZBA Chair Judi Bates stated that in the RV law section E number 3, the length and number of RVs that can be on the property could be misinterpreted. She stated that the wording makes it sound like there can be more RVS and that is not the intention. Supervisor Countryman will ask Barton and Loguidice to look at this section. Judi Bates stated that she has heard from residents that the issue is the lack of Zoning Enforcement. She asked if there was still room in the budget to hire a Deputy Zoning Officer. Her idea is that a Deputy could drive around to find violations. There was no other Public Comment. The Board is leaving the Public Hearing Open until the October meeting.

487 Law:

Supervisor Countryman said that once this law is in place, if a solar farm comes into our Town, they will be required to deal with us. They are not allowed a tax exemption. They will either be under full taxation or negotiate a PILOT with the Town. There was no public comment.

Resolution 2023-114: Councilmember Gosier made the motion to close the 487 Law Public Hearing; Councilmember Villa seconded the motion; all were in favor; motion carried.

Call to Order:

Supervisor Countryman called the regular monthly meeting to order at 6:31 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, Judi Bates, Jim Millington, and Tom Donovan.

Privilege of the Floor

There was no privilege of the floor.

Supervisor's Report

Resolution 2023-115: Councilmember Gosier made the motion to approve the August Supervisor's Monthly Financial report; Councilmember Farrell seconded the motion; all were in favor; motion carried.

Highway Superintendent's Report

Superintendent Weston reported that they have finished blacktopping the roads and there is one more road to Chip Seal. They are installing the score board at the Morris Tract field tomorrow.

There was a discussion on making Academy Street in Three Mile Bay a southbound one-way street. The direction would be traveling down County Route 5 onto Academy street and turning onto 12E. The residents that live on that street said several big trucks turn onto the road and almost hit the house that sits on the corner. Pat stated that it will affect the way the Town plows the road. He said they have put up "NO TRUCKS" signs as close to 12E as NYS would allow. If it does become a one-way street the navigation should eventually change for people using a GPS who are not familiar with the area. There was further discussion on making Academy Street a one-way street.

Resolution 2023-116: Deputy Supervisor Bourquin made the motion to make Academy Street in Three Mile Bay a one-way street; seconded by Councilmember Villa; all were in favor and the motion was carried.

South Shore Road Speed Limit Reduction:

The Town received a speed limit reduction request from Janice Charles (Luff Farms Owner). She would like the speed limit reduced from 55 mph on 1.5 miles of South Shore Road that passes by her home. Ms. Charles lives at 21272 South Shore Road Three Mile Bay. The description she gave was the 1.5-mile sections that starts at the old Lyme Central School Bus Garage and ends at the Old Stone Quarry. Pat Weston said that this request has not been made in the past. He feels that it should be reduced. The speed limit is not posted so it is considered 55 MPH. There are several cottages through that area. Pat will do the GPS coordinates and give them to Clerk Henderson to submit to the County Superintendent Jim Lawrence to submit to NYS.

Resolution 2023-117: Councilmember Gosier made a motion to reduce the speed limit from 55 mph on the 1.5-mile section on South Shore Road that starts at the old Lyme Central School Bus Garage and ends at the Old Stone Quarry; seconded by Councilmember Villa; all were in favor and the motion was carried.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$9,063.45; Total State County & Local Revenues: \$9,103.45 Total Non – Local Revenues: \$40.00

Councilmember Villa asked how often the cans and bottles money comes in. Clerk Henderson stated that it varies. There was a period when Jessman was not getting paid for their cans. This did delay our last check.

Audit of the Bills (Abstracts #15 + 16)

Resolution 2023-116: Councilmember Gosier made the motion to approve Abstract #15 in the amount of \$13,394.80; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2023-117: Councilmember Gosier made the motion to approve Abstract #16 in the amount of \$430,214.87 which include the paving of Case Road and quarterly Fire Department payments; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2023-118: Councilmember Gosier made the motion to approve July 12, 2023 minutes; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2023-119: Councilmember Gosier made the motion to approve August 9, 2023 minutes; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Old Business:

Employee Handbook:

Deputy Supervisor Bourquin asked if the transfer site employees would get double time if they worked a Holiday. He feels they should. Christmas is the only Holiday they usually take off. Councilmember Gosier suggested setting the Holiday schedule at the Organizational meeting. Councilmember Villa shared his concerns about part-time employees and the benefits they will receive. The additional expense the Town will incur for part time employees will be expensive. The cost will escalate year after year. Supervisor Countryman expressed his concerns that the personnel policy needs to be updated. We should not be hung up on paying part time employees vacation and holidays. He would like to give good benefits and hope for long retention in the employees. Even part time employees working 28 hours a week still work 52 weeks a year and deserve time to take off to spend with family. The handbook is not set in stone. It can be edited going forward. Mr. Millington spoke to the board and stated that he agrees with Supervisor Countryman, the employees of the Town should be happy. There was further discussion regarding the employee handbook. Supervisor Countryman is going to reach out to the company to see what they can change to try to accommodate the Boards requests.

487 Law:

Supervisor Countryman said that once the law is in place and listed with the State and NYSERDA when a solar farm comes into our Town, they are required to deal with us. They are not allowed a tax exemption. They will either be under full taxation or negotiate a PILOT with the Town. Supervisor Countryman read the following resolution:

ADOPTION OF LOCAL LAW WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT

WHEREAS, the Town Board for the Town of Lyme, New York is interested in opting out of the tax exemption under Real Property Tax Law §487; and

WHEREAS, the Town Board must evaluate such matters in light of the State Environmental Quality Review Act (SEQR) and the regulations promulgated pursuant thereto; and

WHEREAS, the adoption of the legislation would constitute such an “action”; and

WHEREAS, the Town Board of the Town of Lyme has determined that this action is classified as an Unlisted Action pursuant to 6 NYCRR 617.2(ak); and

WHEREAS, the Town Board has determined that no other State or local agencies are considered involved agencies for these purposes; and

WHEREAS, the Town Board is the only agency by law to fund, approve, or directly undertake this action, and therefore a coordinated review of the action under SEQR is neither required nor necessary; and

WHEREAS, the Town Board in its determination to whether the proposed legislation would have a significant impact on the environment, completed Part 1 and 2 of the Short Environmental Assessment Form, a copy of which are attached and made a part of this resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Lyme, New York as follows:

1. Based upon the examination and consideration of the Short Environmental Assessment Form and comparison of the proposed action and criteria set forth therein; 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 Short 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 Town Clerk’s office in a file that will be readily assessable to the public. All

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

4. This Resolution shall take effect immediately.

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

Terry Countryman, Supervisor	yes <input checked="" type="checkbox"/> no ___
Donald Bourquin	yes <input checked="" type="checkbox"/> no ___
Julia Gosier	yes <input checked="" type="checkbox"/> no ___
Timothy Farrell	yes <input checked="" type="checkbox"/> no ___
Daniel Villa	yes <input checked="" type="checkbox"/> no ___

Resolution 2023-120: Supervisor Countryman made a motion to declare a negative SEQR declaration for the local law to Opt Out of NY RPTL §487; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Supervisor Countryman read the following resolution.

ENACT A LOCAL LAW TO OPT OUT OF NY RPTL §487

WHEREAS, the Town Board for the Town of Lyme, New York has devoted considerable time and attention to Wind Energy issues including efforts to exempt from taxation certain solar or wind energy systems and/or farm waste energy systems; and

WHEREAS, Real Property Tax Law §487 exempts from Real Property taxation solar or wind energy systems or farm waste energy systems for a period of fifteen (15) years; and

WHEREAS, Real Property Tax Law §487 authorizes a Town to enact by Local Law legislation providing that no exemption shall be applicable within the Town and with respect to any solar or wind energy and/or farm waste energy systems which began construction after the effective date of this Local Law; and

WHEREAS, pursuant to the New York Environmental Quality Review Act, this Board, as the only involved agency has reviewed Parts 1,2, and 3 of a Short Form Environmental Assessment Form, has made a determination that the adoption of the Local Law in the Town of Lyme, New York will result in no significant adverse impacts upon the environment and has adopted a negative declaration in connection therewith.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Lyme, New York as follows:

1. The forgoing recitation is incorporated herein and made a part hereof as if set forth hereafter.

2. The Town Board hereby enacts the Local Law titled "Opt Out of Tax Exemption" as being in the best interests of the Town of Lyme.

3. 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 this legislation.

4. This Legislation shall be filed with the New York State Department of State; the President of the New York State Energy Research and Development Authority; and with the New York State Commission of Taxation and Finance.

5. This Resolution shall take effect immediately.

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

Terry Countryman, Supervisor	yes <input checked="" type="checkbox"/> no ___
Donald Bourquin	yes <input checked="" type="checkbox"/> no ___
Julia Gosier	yes <input checked="" type="checkbox"/> no ___
Timothy Farrell	yes <input checked="" type="checkbox"/> no ___
Daniel Villa	yes <input checked="" type="checkbox"/> no ___

Resolution 2023-121: Supervisor Countryman made a motion to adopt local law to Opt Out of NY RPTL §487; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Chaumont Fire Department Fire District:

Supervisor Countryman said that he would like to sit down with Mayor Morrow and get his boards input on the district. Councilmember Villa said that we can schedule the next meeting now that we have the assessment information. Councilmember Farrell said we need to see where the money comes in and out. Supervisor Countryman would like to gather more information and understand how it will impact things in the town. We know what we budget and what the Village budgets for the department, but we don't know their expenses are. They would like to see the last 5 years budget. Councilmember Gosier said the Board needs as much information as possible so they can pass this information to the taxpayers before they cast their vote. Attorney Burrows reported to Supervisor Countryman that once you form a fire district every parcel in the fire district is taxed. There are no exemptions. Every 501C3 and church would be taxed. This raised a red flag for him. He will gather more information and report back to the Board.

Park Update:

Supervisor Countryman stated that Hartley Bonisteel has been helping him extend the Addie Jenny money grant. She offered her company to write grants for the Town. She will do a presentation at the October meeting.

The dock bulkhead at Veteran's Park has cured after 28 days. Gregor (BCA) stated that Powis is going to get started on construction again next week. Councilmember Villa said it is not necessary to install the Docks but the weights for the dock could be put in place. The docks should be moved to where they will be stored. He would like to get the park more presentable. He stated that Andy Williams has offered to donate the boat mast to the Town as a flagpole. It can readily retrofit to be a flagpole. Andy bought the pole for Wise Guys originally but the location of his pole would be very close to the Towns. They discussed possibly cutting the pole. Deputy Supervisor Bourquin explained that if we cut 25 feet off the end Andy wants the remainder of the pole back. The Town Board was very thankful that Andy was giving such a nice gesture.

Resolution 2023-122: Deputy Supervisor Bourquin made a motion to accept the flagpole from Andy Williams and thank him; seconded by Councilmember Villa; all were in favor and the motion was carried.

New Business:

Budget Work Session/Hearing Dates:

The budget work sessions will be held on the following dates:

October 5, 2023, at 3:00 p.m.

October 11, 2023, at 3:00 p.m.

October 18, 2023, at 3:00 p.m.

October 25, 2023, at 3:00 p.m.

The budget hearing is scheduled for November 8, 2023, at 6:20 p.m.

Resolution 2023-123: Councilmember Gosier made a motion to advertise the budget work session for October 5, 11, 18 and 25 2023 at 3:00 p.m. and the budget hearing for November 8, 2023, at 6:20 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Hire Tax Aid/Confidential Secretary:

Resolution 2023-124: Councilmember Villa made a motion to appoint Serena Beach as a part time Tax Aid and part time Confidential Secretary to the Supervisor; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Gouverneur Savings and Loan Proxy Vote:

Gouverneur Savings and Loan is holding a proxy vote. The Bank is changing to a Publicly Traded organization. All depositors have been given a proxy vote for or against this change. For every \$100 of deposit, you will get one vote with a limit of 1,000 votes per depositor. If the vote is for the change the Bank will offer over 900,000 shares at \$10 a share to raise over \$8,000,000. They need the money to stabilize capitalization and have money for growth. If the change happens then going forward only shareholders will be able to vote. If your proxy vote is not cast, then it automatically counts as a vote against. Councilmember Villa asked if the Town's money is protected if something happens to the bank. We have a lot of money in this bank. Supervisor Countryman said our money is in a bond, so it is secure. As long as the money is protected, we should move forward.

Supervisor Countryman spoke to Denny Lane from the Town of Brownville about the interest rate of NY Class bank. D. Lane stated their Town is receiving a better interest rate through Community Bank. Gouverneur and Watertown Savings Bank are going to discuss options and rates with him. The Town could earn significant amounts of interests on our accounts with higher interest rates.

Resolution 2023-125: Councilmember Villa made a motion to vote "YES" for the Gouverneur Savings and Loan proxy vote; seconded by Councilmember Farrell; all were in favor and the motion was carried.

DANC Budget Vote:

There was another meeting held at Dexter Municipal Building. Those present included The Town of Lyme, Village of Chaumont, Village of Dexter, Town of Brownville, Town of Cape Vincent, and the Village of Brownville. The Village of Dexter and Town of Brownville still believes that everyone should pay more. If DANC was to incorporate the new allocation our expenses would be reduced by \$20,000.00. The result of the vote was a tie. DANC asked each community to vote yes for the new proposal and no to keep the same method.

The vote was as follows:

Village of Brownville – No
Village of Dexter--No
Town of Brownville – No
Town of Lyme – Yes
Town of Cape Vincent – Yes
Village of Chaumont – Yes

Since there was no majority, the method of charging for fixed costs will not change and will remain the same as it has been in past years.

Maintenance Law:

Resolution 2023-126: Councilmember Gosier made a motion to advertise the Public Hearing for the Prohibition of Clutter, Litter, Debris, and other Waste Law at 6:15 p.m. on October 11, 2023; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Committee Reports

Assessor’s Report:

Supervisor Countryman stated that the assessors will now have office hours 9-3:00 p.m. on Tuesdays and Wednesdays. There were no questions on their report.

Municipal Water Board Report:

The Water Board requested that the vacant Water Board ad be placed on the website and Facebook again to see if there are any interested residents.

Planning Board:

There was a statement in the Planning Board minutes that read “Preliminary review for Camillo Subdivision, tax map 70.14-2-3. Resident owns full parcel, wishes to replace existing house while living in garage. Was informed by ZEO the Town doesn’t allow more than one dwelling on a property, so she is required to subdivide her land. This Board is questioning accuracy of this, will do research, a public hearing will be scheduled for October, unless it is discovered the subdivision is not necessary.” Councilmember Gosier questioned this. She said that a 2nd residence is allowed according to our zoning law.

Zoning Board of Appeals (ZBA):

There was no report submitted.

Youth Commission:

The Youth Commission is looking to purchase another shed for storage to replace the current one that is at the 12E fields. Deputy Supervisor Bourquin said that the shed is solid but there is no drip edges or eaves on the roof. Pat Weston said he could fix the roof for 300-500 dollars. Another thing to consider is that if the Town gets a new office building with more storage the shed will be available. The shed next to the Salt Barn is almost empty. They can move the equipment there. Councilmember Gosier said they already have purchased the new score board this year.

ZEO/CEO Report:

Jim Millington emailed his report and there were no questions.

TMB Cemetery:

Councilmember Gosier reported Mark Docteur said he would mow the cemetery for \$450.00 again in 2024. She said that if we can skip putting the cemetery to bid, we should.

Councilmember Villa thinks if it was written in the bid, we should be able to work around it.

Councilmember Gosier said that there are large shrubs blocking the monuments. She took an inventory of the shrub work and Mark Docteur gave her an estimate of \$700.00 to cut the shrubs and trees to the roots.

Resolution 2023-127: Councilmember Gosier made a motion to hire Mark Docteur for \$700.00 to do the necessary tree/brush maintenance in the Three Mile Bay Cemetery; seconded by Councilmember Villa; all were in favor and the motion was carried.

Cape Vincent Ambulance:

The meeting was postponed until next Tuesday.

Cedar Grove Cemetery:

The cedar Grove cemetery board voted to give the cemetery to the Town January 1, 2024.

Heather Lipczynski is doing the paperwork but there is a lot involved. Deputy Supervisor

Bourquin said that when the Town takes over the cemetery, they can spend the money in the savings. Councilmember Gosier explained that the cemetery association can only use the interest

in the memorial fund accounts. Once the Town takes over, they can decide how to use the funds.

The only stipulation of the funds is it must be for that specific cemetery. Councilmember Villa

shared his concerns that we have been down this road many times and it hasn't happened yet. It should be run by the Town attorney. There should be grants available through NYS because it is a historical cemetery.

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

Resolution 2023-128: Councilmember Villa made the motion to go into executive session at 8:44 p.m. to discuss employment matters; Councilmember Farrell; seconded the motion; all were in favor; motion carried.

Return to Open Meeting

Resolution 2023-129: Councilmember Gosier made the motion to enter the Open Meeting at 9:26 p.m.; seconded by Councilmember Villa; all were in favor and the motion was carried.

Adjournment

Resolution 2023-130: Councilmember Villa a made the motion to adjourn; seconded by Councilmember Farrell; all were in favor and the motion was carried; meeting was adjourned at 9:27 p.m.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk