

June 6, 2024

Town of Lyme

Special Meeting 6:00 P.M.

Call to Order:

Deputy Supervisor Donovan called the special meeting to order at 6:01 p.m. opening the meeting with the Pledge of Allegiance.

Those present included Deputy Supervisor Donovan, Councilmember Bourquin, Councilmember Gosier, Councilmember Farrell, Clerk Henderson, Attorney James Burrows, Charles Bruce Kingsley, Ken Kasek, Greg Hoppel, Mike Benati, Stephanie Petrarca, Richard Nagel, Ted Smith, Leslie Milano-Luongo, and Jennifer Kingsley.

Executive Session

Resolution 2024-105: Councilmember Bourquin made the motion to go into executive session at 6:03 p.m. to discuss multiple legal matters with Town Attorney James Burrows; Councilmember Gosier; seconded the motion; all were in favor; motion carried.

Return to Open Meeting

Resolution 2024-106: Councilmember Bourquin made the motion to enter the Open Meeting at 6:48 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Supervisor Millington is now present.

Supervisor Millington asked for a moment of silence for all the people that have died for our country.

Supervisor Millington announced that there will be no privilege of the floor.

Attorney James Burrows explained the process of the Highway Garage Bonding and Special Election Process. Although the Highway Garage Special Election was very well attended, it was determined that the publication requirement related to the special election was insufficient; and in the interest of transparency and fairness the April special election was invalid and further finds it necessary to complete a new special election

Attorney Burrows read the first purposed resolution:

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF LYME

At a meeting of the Town Board of the Town of Lyme, held at the Town Offices located at 12175 NYS Route 12E, Chaumont, NY 13622, on June 6, 2024 at 6:00 p.m., there were:

PRESENT: Supervisor James Millington, Donald Bourquin, Julia Gosier, Timothy Farrell, Thomas Donovan

ABSENT: N/A

WHEREAS, a Bond Resolution was adopted by the Board on December 13, 2023; and

WHEREAS, a Petition in opposition to the Bond Resolution was submitted to the Town Clerk on January 8, 2024; and

WHEREAS, the Town contacted the Jefferson County Board of Elections in order to determine how many Town of Lyme residents voted in the most recent gubernatorial election . In the most recent gubernatorial election, one thousand one hundred and twelve (1,112) residents of the Town of Lyme voted. Five (5) percent of those votes equates to approximately fifty-six (56) voters. Thus, in order for the Petition to be sufficient so as to require a referendum, fifty-six (56) signatures were necessary; and

WHEREAS, the Petition which was submitted included one hundred twenty-four (124) signatures, at least sixty (60) of which were verifiable; and

WHEREAS, the Town Clerk offered the opinion, incorporated by reference, that the Petition was sufficient so as to require a referendum; and

WHEREAS, efforts to hold a special election were coordinated with the Jefferson County Board of Elections, and the same was held on April 9, 2024 from 12:00 PM until 8:00 PM; and

WHEREAS, the proposition voted on during the April special election was "shall the Town spend a maximum of \$5,260,681.00 to construct a new Highway Barn?"; and

WHEREAS, during the April special election, a total of two hundred fifty (250) Town residents voted, and one hundred fifty-four (154) voted in favor of the proposition; and

WHEREAS, following the special election it was determined that the publication requirement related to the special election was insufficient; and

WHEREAS, in the interest of transparency and fairness the Town Board finds the April special election invalid and further finds it necessary to complete a new special election; and

WHEREAS, the Town Board finds it in the best interest of the Town to reaffirm the bond resolution associated herewith and incorporated by reference hereto; and

WHEREAS, the Town Board recognizes the effort by Town Residents associated with offering a petition in order to hold a special election, and wishes to remove such burden from Town Residents; and

WHEREAS, the Town Board hereby finds that a referendum regarding the aforementioned bond resolution is necessary; and

WHEREAS, the Town Board recognizes that in authorizing a referendum by resolution, the special election must take place in no more than forty (40) days from the date of this resolution.

NOW THEREFORE, on motion duly made and seconded, this Board makes the following determinations, and

IT IS HEREBY RESOLVED:

1. The above recitations are incorporated herein.
2. All necessary efforts shall be made to effectively hold a special election within forty (40) days of the date of this resolution, regarding whether the Town shall spend a maximum of \$5,260,681.00 to construct a new Highway Barn.

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

James Millington, Supervisor	yes <u>X</u> no ___
Donald Bourquin	yes <u>X</u> no ___
Julia Gosier	yes <u>X</u> no ___
Timothy Farrell	yes <u>X</u> no ___
Thomas Donovan	yes <u>X</u> no ___

Resolution 2024-107: Councilmember Bourquin made the motion to approve the first proposed resolution as written regarding the Highway Garage Special Election; Councilmember Gosier; seconded the motion; all were in favor; motion carried.

Attorney Burrows read the second proposed resolution:

**RESOLUTION OF THE TOWN BOARD OF
THE TOWN OF LYME**

At a meeting of the Town Board of the Town of Lyme, held at the Town Offices located at 12175 NYS Route 12E, Chaumont, NY 13622, on June 6, 2024 at 6:00 p.m., there were:

PRESENT: Supervisor James Millington, Donald Bourquin, Julia Gosier, Timothy Farrell, Thomas Donovan

ABSENT: N/A

WHEREAS, a Bond Resolution was adopted by the Town Board on June 6, 2024; and

WHEREAS, the Town Board adopted a Resolution calling for a referendum regarding the Bond Resolution in accordance with New York Town Law§ 94.

NOW TH EREFORE, on motion duly made and seconded, this Board makes the following determinations, and

IT IS HEREBY RESOLVED:

1. The above recitations are incorporated herein.

2. A Special Election regarding the construction of a Town Highway Barn shall be held on July 9, 2024.

3. The Special Election shall be held at the Town Offices located at 12175 NYS Route 12E, Chaumont, New York 13622.

4. The polls for the Special Election shall be extended beyond that which is required by statute, and open at 12:00 pm and shall remain open for voting until 8:00 pm.

5. The proposition to be voted on at the Special Election will be as follows :
"Shall a maximum of \$5,260,681.00 be expended in order to construct a new Highway Barn?"

This Resolution is adopted as required by New York Town Law as a prerequisite to the Special Election.

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

James Millington, 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 ___
Thomas Donovan	yes <input checked="" type="checkbox"/> no ___

Resolution 2024-108: Councilmember Bourquin made the motion to approve the second proposed resolution as written regarding the Highway Garage Special Election; Councilmember Gosier; seconded the motion; all were in favor; motion carried.

Leslie Luongo, Dick Nagel, Bruce Kingsley, Jennifer Kingsley, Greg Hoppel asked questions. Attorney Burrows addressed the questions.

Adjournment

Resolution 2024-109: Deputy Supervisor Donovan a made the motion to adjourn 7:19 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson

Town Clerk