

**Town of Lyme**  
**12175 NYS Route 12 E**  
**Chaumont, NY 13622**  
**August 14, 2024**  
**Regular Monthly Meeting 6:30 p.m.**

A regular meeting of the Town Board of the Lyme, County of Jefferson and the State of New York was held at 12175 NYS Route 12 E at 6:30 P.M., on the 14<sup>th</sup> day of August 2024.

**Call to Order:**

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

Those present included Supervisor Millington, Deputy Supervisor Donovan, Councilmember Farrell, Councilmember Bourquin, Councilmember Gosier, Town Clerk Ariana Henderson, Highway Superintendent Pat Weston, John Condino (B&L), Jennifer Kingsley, Bruce Kingsley, Kathy Dyer, John Rusho, Robert Ward, Cathy Ward, Cathy Stone, Joy Seymour, Kathy Staudamayer, Karin Klock, Melissa Ewert, Michael Klock, Thomas Wild, Josephine Johnston, Joseph Romanelli, William Pfaff, Mary Hayes, James Hayes, Tom Carney, Heather Lipczynski, Tina Fahringer, Linda Towne, Melissa Koffs, Jon Koffs, Sheryl and Tony Figueiredo, Deanna Lothrop, Gary Piche, Lisa Firlik, Julie Grieco, Catherine Stone, Edward Andrews Jr, and Laine Taylor.

**Privilege of the Floor**

There was no privilege of the floor.

**Supervisor's Report**

Councilmember Farrell expressed his concern about legal costs. The Town has \$10,000.00 left to spend and we have four months of the year left. We need to utilize each other and use the Association of Towns for attorney advice. Supervisor Millington questioned why the legal budget wasn't raised more when the costs were so high in 2023. Councilmember Gosier stated that this was because we had the Veteran's Park project that was reimbursable.

**Resolution 2024-145:** Councilmember Gosier made the motion to approve the June Supervisor's Monthly Financial report; Councilmember Donovan seconded the motion; all were in favor; motion carried.

**Resolution 2024-146:** Councilmember Gosier made the motion to approve the July Supervisor's Monthly Financial report; Councilmember Donovan seconded the motion; all were in favor; motion carried.

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Councilmember Bourquin said a lot of the legal cost were Water District #1 and Hart Road. He questioned if the legal costs should be charged to the water district and not the attorney account. Clerk Henderson questioned why it would be charged to Water District#1 when Hart Road was considered part of Water District#1 at the time. This was research leading up to the findings that Hart Road is part of District#1. John Condino agreed with Councilmember Bourquin that it should be charged to the district.

**Resolution 2024-147:** Councilmember Bourquin made the motion to accept the budget transfers as written; Councilmember Gosier seconded the motion; all were in favor; motion carried.

	Supervisor		
A12204.01	CE	10,785.00	grant writer
	Fire		
	Protection		
A34104.01.000.00	CE	7,145.55	
	Town		
A63104.01.000.00	Development	(17,930.55)	
A13551.01.000.00	Assessor PS	7,353.82	
A13551.01.000.19	Assessor PS	433.64	
A13551.01.000.37	Assessor PS	277.50	
A13551.01.000.33	Assessor PS	(8,064.96)	
A16204.01.000.00	Building CE	39,240.32	
A14404.01.000.00	Engineer CE	(39,240.32)	
	Judgements		
A19504.01.000.00	& Claims	5,000.00	
	Payment to		
	County		
A19724.01.000.00	Treasurer	(5,000.00)	
	Lyme Parks &		
A72104.01.000.00	Rec CE	100.28	
	Lyme		
	Recreation		
A71404.01.000.00	CE	(100.28)	
	Zoning PS		
B80101.02.000.24	ZEO	2,088.95	
B1120.02	Sales Tax	(2,088.95)	

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			<i>recommended \$29,634.23 be moved from .4 to .2 to pick up full truck pmt. If ok, please let me know and the following will be changed to DA51302.03</i>
DA51304.03.000.00	Machinery CE	28,100.00	<i>Machinery Equip</i>
DA2665	Sales of Equipment	(28,100.00)	<i>move 1/2 of the sale. I can move the rest but would recommend holding off to verify where it would be needed.</i>
DB51122.04	Permanent ECO	(58,818.50)	
DB51124.04	Permanent CE	58,818.50	<i>will all be reported for permanent road improvement as account .2 for the annual report. Recommend moving vouchers to correct reporting</i>
SW183104.08	Admin CE	227.64	
SW12401	Interest	(27.64)	
SW12770	Misc Income	(200.00)	

**Highway Superintendent's Report**

Highway Superintendent Pat Weston replaced 22 culvert pipes on South Shore Road. Suite Kote will be coming to pave in September. The Board discussed the \$50,000.00 the Town received from FEMA.

**Clerk's Report**

Monthly Receipts were as follow: Total Local Shares Remitted: \$2,715.65; Total State County & Local Revenues: \$2,776.15 Total Non – Local Revenues: \$60.50

**Resolution 2024-148:** Councilmember Gosier made the motion to accept the Town Clerk's Report for July; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Audit of the Bills (Abstracts #15 + 16)**

**Resolution 2024-149:** Councilmember Bourquin made the motion to approve Abstract #15 in the amount of \$1,188.21; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Resolution 2024-150:** Councilmember Gosier made the motion to approve Abstract #16 in the amount of \$115,414.03; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Approval of the Minutes**

**Resolution 2024-151:** Councilmember Bourquin made the motion to approve July Regular Meeting Minutes, July 10, 2024 Special Meeting Minutes and August 8, 2024 Special Meeting Minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Supervisor Millington took a short intermission.  
Supervisor Millington resumed the meeting at 7:25 p.m.

**Old Business:**

**Solar Law:**

**Resolution 2024-152:** Councilmember Gosier made the motion to close the Solar Law Public Hearing; seconded by Councilmember Donovan; all were in favor and the motion was carried.

John Condino (B&L) explained the process of adopting the Solar Law to the Town Board. John read the changes that were made to the Solar Law the Town plans on enacting. Cathy Ward asked if the Town Board reviewed the information that Bill Kleftis submitted to the Board. John Condino responded that this is why the Board is enacting the moratorium to review the input from the residents. There was discussion on the Solar Law.

**Resolution 2024-153:** Councilmember Gosier made the motion to declare a negative declaration for SEQR for Solar and Solar Energy Battery Storage; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**NEGATIVE DECLARATION FOR SEQR (Short Form) FOR SOLAR AND SOLAR ENERGY BATTERY STORAGE**

WHEREAS, the Town Board of the Town of Lyme, New York has considered the adoption of Legislation in the Town of Lyme in connection with Solar and Solar Energy Battery Storage; and

WHEREAS, the Town Board of the Town of Lyme has reviewed an Environmental Assessment Form for the purpose of assisting the Town Board in making a determination of significance in respect to the Legislation; of whether the enactment of the Legislation would have a significant adverse impact on the environment; and

WHEREAS, the Town has reviewed the criteria for determining significance of an action that is set forth at 6 NYCRR §617.7(c); and

WHEREAS, having considered the action, consisting of the adoption of the Legislation and the potential environmental impacts associated with such action, the Town Board has determined to proceed.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lyme finds that the proposed action of adopting the legislation is subject to SEQR; and

BE IT FURTHER RESOLVED, that the action constitutes an unlisted action under SEQR 617.2(a); and

BE IT FURTHER RESOLVED, that the Town Board is the agency with jurisdiction 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.

BE IT FURTHER RESOLVED, by the Town Board of the Town of Lyme, New York:

1. Based upon the examination and consideration of the Short Environmental Assessment Form and comparison of the proposed action and criteria set forth at 617.7, 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 Long 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 the Town Clerk's office in a file that will be readily accessible to the Public. All subsequent notices regarding the undertaking of the project as set forth in this Resolution shall state that a negative declaration has been issued.
4. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Gosier, and seconded by Board Member, Farrell, 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 2024-154:** Councilmember Gosier made the motion to enact the local law regarding Solar and Solar Energy Battery Storage; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**ENACT LOCAL LAW REGARDING  
Solar and Solar Energy Battery Storage**

WHEREAS, the Town Board for the Town of Lyme, New York is interested in enacting a Local Law that will address solar energy and solar energy storage within the Town in accordance with the most recent laws in New York; and

WHEREAS, the Town Board has reviewed the proposed legislation and has further determined that none of the Town's currently existing Local Laws, ordinances, rules, or regulations address the same.

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 herein.
2. The Town Board hereby enacts the Local Law for Solar and Solar Energy Battery Storage as being in the best interests of the Town of Lyme.

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3. The Supervisor for the Town of Lyme, and the Town Clerk, their respective agents and employees are hereby 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 and shall become effective thereafter.
5. This Resolution shall take effect immediately.

The foregoing Resolution was offered by Board Member, Farrell , and seconded by Board Member, Donovan, 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 ___

**Solar Moratorium Public Hearing:**

**Resolution 2024-155:** Councilmember Bourquin made the motion to advertise the Solar Moratorium Public Hearing for September 11, 2024 at 6:10 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Solar Law Committee:**

Councilmember Bourquin purposed that the Town form a 5 member committee to work on the Solar Law.

- 1 ZBA Member
- 1 Planning Board Member
- 1 Town Board Member
- 2 Residents

Councilmember Gosier agreed. Councilmember Farrell said interested residents should email the board if they are interested and he is willing to be on the committee.

**Moratorium on Quarrying/Mining:**

Councilmember Gosier explained a few months prior the Town had a quarry proposal for Point Peninsula. There were several concerned residents that did not want this to happen. She would like to ban all heavy industrial, mining and quarry south of NYS 12E. This would protect all of our Town Peninsulas, which is what makes our Town special.

**Resolution 2024-156:** Councilmember Gosier made the motion for Barton and Loguidice to start the process for a one year moratorium on quarrying/mining; seconded by Supervisor Millington; all were in favor and the motion was carried.

**Employee Handbook:**

**Resolution 2024-157:** Councilmember Bourquin made the motion to approve the amendments to the Employee Handbook and keep the original ratification date; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**New Business:**

**Town/Village IMA:**

Supervisor Millington stated that the Town has had an ongoing issue with Hart Road. It appears that Hart Road should be included in the Town's Water District #1 but has been being serviced and billed by the Village of Chaumont. We have to have a Intermunicipal Agreement in place for this specific reason.

**Resolution 2024-158:** Councilmember Gosier made the motion approving the Barton and Loguidice IMA proposal agreement for the Village and Town Hart Road Water District #1; seconded by Councilmember Bourquin; all were in favor and the motion was carried.

**Veteran's Park Kayak Launch:**

Supervisor Millington said it would be much too expensive to move the kayak launch to a new location. The Town will simply change the bracket and shore up the flotation so it is level with the dock.

**Veteran's Park Sign:**

Councilmember Bourquin said that there may be NYS Park requirements about signs that the Town needs to follow. This would need to be researched before moving on a sign purchase. He suggested removing the word "Town" and adding "Lyme Memorial Veteran's Park." Councilmember Donovan said that he would like clarification on the estimate. The way it is written is confusing.



Councilmember Bourquin also stated that the Three Mile Bay welcome sign will need to be replaced soon. He thanked Mr. Klock for mowing it.

**Transfer Site Pricing:**

There have been recent complaints about the pricing at the transfer site and resident wanting to use black trash bags. Cape Vincent and Jefferson County accept black bags. The issue is people throw away more recyclables. Councilmember Farrell said the real issue is that the transfer site attendant is going through the bags and searching people's vehicles. There needs to be more research done before deciding on anything. The Board agreed.

**Budget Assistance for Supervisor:**

**Resolution 2024-159:** Councilmember Bourquin made the motion to hire Larid Petrie to assist Supervisor Millington with the budget for up to \$600.00; seconded by Councilmember Donovan; all were in favor and the motion was carried.

**Highway Garage Committee:**

Councilmember Farrell requested a highway Garage Committee Report from Supervisor Millington. He asked who the committee has contacted for local contractors. Supervisor Millington responded that they have been in touch with Lawman who is part of Blue Source. He listed three options for the Garage. They visited Wilma, West Carthage, Brownville and Dexter. There was an extensive discussion regarding the Highway Garage Building.

**Committee Reports**

**Town Board Report:**

Supervisor Millington read Paul Failing's letter as requested:  
It is my desire that this e-mail be read aloud at the AUGUST Town Board meeting, and that answers to these questions be given at the August meeting.

At last months meeting held on 7/10/24, there were numerous questions posted online, specifically asked of Supervisor Millington, that were read at the end of the meeting, but the meeting was immediately adjourned before answers could be given. I feel that the taxpayers of the Town of Lyme have a right to know the answers to these questions since it is their tax dollars being spent, therefore I request Supervisor Millington and the rest of the Town Board provide answers at the August town board meeting.

I took the liberty of going back and reviewing the online questions and have listed them below in an effort to save time and prevent further delay in these questions being answered.

Question 1. If the "confidential secretary" is being paid from Town funds, what meeting did the Board approve her hiring, and is her paycheck being approved by the Board on a regular basis? Additional questions from online posters concerning this matter are/were related to what her salary is, and what additional benefits she may be receiving.

***Supervisor Millington's response: It is a line item in the budget.***

Question 2. Was this new "confidential secretary" budgeted for, or is this a hire that was NOT budgeted for? If not budgeted for, where are the monies coming from in the budget to pay her salary/benefits?

***Supervisor Millington's response: It was in the budget as a line item as well. No benefits it is a part time employee.***

NOTE: there was discussion during this same meeting in regard to a PT employee, and that there needs to be advertising done before the position can be filled, which led (I'm assuming) to the next question.

Question 3. If the Board has to advertise for filling a PT position, what advertising was done for the "confidential secretary" position?

***Supervisor Millington's response: Yes it was advertised properly. He said there was one other applicant that was no qualified. He chose his current secretary because she was very qualified.***

Question 4. What is the status of Supervisor Millington's 2 lawsuits against the Town?

***Supervisor Millington's response: This was inappropriately mentioned by the Town Board Member. He won the lawsuit for something the Town did that was wrong and it was mostly back salary.***

Additionally, I feel the Town Board should clarify the half-truth in the letter that was mailed out by Jen Kingsley to town residents concerning the "tax increase" that would impact on Town residents if the new building was approved. Since the ONLY increase would be on the roughly 9% of the overall yearly tax bill paid by Town residents that the Town receives, and NOT the entire yearly tax bill, that is/was a huge omission of FACT, in my opinion, to sway voters to vote against the new building.

Sincerely,

Paul Failing

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Councilmember Farrell stated that Lynda is doing a great job but is speaking for the Town when Supervisor Millington is the one who needs to speak for the Town. He wants Supervisor Millington to communicate more with the board.

**Assessor's Report:**

There was no report.

**Municipal Water Board Report:**

Kathy Dyer clarified that the Water Board did not call the Town attorney for Water District #1. They agreed to consult John Condino.

**Planning Board:**

There was no questions on the minutes.

**Zoning Board of Appeals (ZBA):**

There was no report.

**Youth Commission:**

Pat Weston took more sand to Morris Tract Field. Clerk Henderson ordered new swings for the swing set.

**ZEO/CEO Report:**

There were no questions on the report.

**TMB Cemetery:**

Councilmember Gosier stated there was nothing to report.

**Cape Vincent Ambulance:**

There was no report.

**Closing Privilege of the Floor**

**William Pfaff:** Mr. Pfaff stated that interest rates and prices are only increasing. Why are we waiting to build the Highway Garage. Supervisor Millington responded. There was further discussion.

**Tom Wild:** Mr. Wild thanked the Town Board members and specifically Councilmember Gosier for considering a moratorium on quarrying/mining.

**Ms. Wild:** Ms. Wild stated that the corner of Point Peninsula Village is looking industrial and no longer like a Village.

**Karin Klock:** Ms. Klock also thank Councilmember Gosier.

#### **Online Privilege of the Floor**

There were several comments that read out loud.

Councilmember Farrell spoke to Edward Andrews regarding his “no wake” concern for Chaumont Bay. Councilmember Farrell stated the DEC would take care of the no wake zone and he should call the Jefferson County Sheriff’s Office with his safety concerns.

#### **Adjournment**

**Resolution 2024-160:** Councilmember Bourquin a made the motion to adjourn at 8:51 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Respectfully Submitted,

*Ariana Henderson*

Ariana Henderson  
Town Clerk