

**Town of Lyme**  
**12175 NYS Route 12 E**  
**Chaumont, NY 13622**  
**July 10, 2024**  
**Continued Public Hearing Solar Law 6:10 p.m.**  
**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 12<sup>th</sup> day of June 2024.

**Public Hearing Solar Law:**

Supervisor Millington called the public hearing to order at 6:10 p.m.

**Bill Kleftis** submitted a revised Solar Law to the Town Board via email. The biggest change is the battery storage regulations, training local fire departments and having fire extinguishers. His recommendation is to enact a 12-month moratorium for Solar. There are several other Towns that are going through similar situations.

**Cathy Ward** asked for all her comments to be written into the minutes as follows:

NYS Town Law requires zoning amendments to be made in accordance with a Comprehensive Plan. The Lyme Board should ensure that this amendment is consistent with any current plans and any renewable energy vision or goals in the Town.

The Town should consider placing a Moratorium on any new Solar Projects in the Town of Lyme. We suggest 1 year to allow time to complete the Solar Law and Comprehensive Plan.

The Town should consider contacting Jefferson County Planning to have them prepare the Comprehensive Plan...No cost to the Town....It's FREE to the Town. They have their pulse on what is going on in the County....they are a huge resource for information. They are currently writing or have written Comprehensive Plans for Town of Henderson, Theresa and LeRay, just to name a few. Another suggestion is to reach out to Hartley Bonisteel-Schweitzer who also has an in depth knowledge of Jefferson County and would also be capable of possibly obtaining Grant monies to pay for this service.

In the Waterfront District, Setback is said to be 1250 feet. This setback should be measured from the highwater mark of Chaumont River, Lake Ontario, and its bays.

The proposed law does not state in which zoning district the Battery Storage should be located. Battery Storage setback should be at the very least another 1500 feet in addition to the 1250-foot setback from the Waterfront...it should be nowhere near waterfront, residences, etc. Physical Damage, aging, poor maintenance, overcharging, high temperatures or internal shorts pose a danger of overheating causing explosions/fire. Just look at the battery storage fire in July

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2023. Greater distance requirements between Containers - If one catches fire, they all will catch fire.

Lines should be buried period! We live in a heavily travelled area...Old Town Springs Rd., Cheever Rd., and Millens Bay Rd. These roads are traveled by everyone including tourists and boaters. Greater setbacks more than 100 feet from non-participating residences. 100 feet is not enough. Minimum of 500-1000 feet.  
Article 8, E-1 should correspond with Article 8, E-7 100-foot setbacks should be at the very least 500 feet.

There is a private access road on Old Town Springs Rd. between the Ahlheim and Rusho residences. This should not in any way be used for Solar Company access. It should not be their point of entry.

Page 3 of the proposed Solar Law under "Solar Energy Equipment", why doesn't this include Batteries?

Page 3 "Participating Property" Why is this limited to Batteries?

Page 5 "Article 7, D. "when feasible" Why was this added for glare?

Where will the interconnectors go? These are an eyesore on the Village side of the Chaumont River. Any interconnectors should be spaced just as National Grid Lines are spaced.

Order Soil Maps from Jefferson County for the proposed Solar Farmland. Agricultural Prime Soil should not allow Solar to be built on it. We cannot replace or make more farmland.

Thank you, Catherine Ward

**Bill Kleftis** spoke with our local representatives, and they are not able to attend the meeting.

**Councilmember Farrell** contacted Scott Gray and Walczak's office. They want to support our Town. He is asking the Town residents to contact the local representatives, Governor's Office and Attorney General. He expressed his concern for the health of our residents after the Solar Fire and the lithium batteries burning. He also included that the Town hasn't received any benefits from the current Solar Panel Farm.

**Councilmember Gosier** stated that in the past the Town has worked with Jefferson County to create/revise the Comprehensive Plan. Tomorrow afternoon the Board is meeting with the grant writer to go over a grant to revise our Comprehensive plan. They hope to get it completed quickly.

**Cathy Ward** said that Jefferson County is currently revising the Town of Henderson's comprehensive plan. It wouldn't hurt to add our Town to their list. She believes that Jefferson County is a great resource because they are local.

**Councilmember Bourquin** stated that the problem with a Solar Moratorium is that you must be actively engaged and working on a solar law. You can't use a moratorium to stall projects. The most recent project is very large and will fall under the 94C law.

**Kelly Sanford** stated the animals and species on Millens Bay Road and Route Road should be considered.

**Julie Grieco** expressed her concern about there being an emergency plan in place.

**Deanna Lothrop** is a neighbor to the current Solar Farm on County Route 179. She said that they tested their well once after the solar fire and never came back. She said you couldn't go outside or even let your dogs out, the air was toxic. She said she does not believe or trust them.

**Mike Simser** stated that the animals will be affected, especially the deer.

**Susan Nichols** stated Cornell Co-op. is supposed to be doing bird studies and they aren't doing their job. They also can test through DEC, but it is up to Albany to decide what to do with the results of the tests. She also spoke regarding property surveys being completed before the property is sold.

**Robert Ward** said Solar Panels are like a domino effect. The Town should have a maximum number of Solar Panels that exist in a Town. We are being taken advantage of.

**Destiny Piche** expressed her concern that there is no recycling program for the panels. She asked if we are setting up our children to live in a world where non-working solar panels cover all land.

**Councilmember Gosier** stated that there are regulations for the Solar Companies to have a decommission bond and plan and they do have to clean up the land.

**Councilmember Farrell** worries about the Solar Farms selling multiple times.

**John Condino from Barton and Loguidice** explained that there is a succession plan within our Town Solar Law. If they sell the farm the next owner will also be required to follow the rules and regulations.

**John Rusho** said that there was only one access road to fight the solar fire on County Route 179. This is something a volunteer fire department shouldn't have to handle.

**Dennis Hillick** said that everything is about making money.

**Jennifer Kingsley** discussed the assessment of the current Town solar farm on County Route 179.

**Greg Hoppel** discussed posting the Town roads at a maximum ton per road to prevent damage from the Solar Construction.

**Heather Lipczynski** said that they have surveyed over 3,000 acres and have marked specific trees and flowers. They are outside her house at all times of day. The Fire Department does have a water issue to fight the solar fires.

Several residents expressed their opposition to Solar Farms and requested a moratorium.

Supervisor Millington adjourned the public hearing at 7:10 p.m.

**Call to Order:**

Supervisor Millington called the regular monthly meeting to order at 7:25 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, Legislator William Johnson, John Condino (B&L), Jennifer Kingsley, Bruce Kingsley, Greg Hoppel, Kathy Dyer, John and Judy Rusho, Mike Simser, Deb Simser, Robert Ward, Cathy Ward, Greg Hubbard, Bill Kleftis, Heather Lipczynski, Leon Walker, Joseph Romaelli, Josephine Johnston, Kathie Carr, Joe Henry, Julie Grieco, Tina Fahringer, Dennis Hillick, David Bourquin, Dana Aikins, Destiny Piche, Kelly Sanford, Barb Guga, Melissa Koffs, John Koffs, Leslie Milano-Luongo, and Justin Bourquin.

**Privilege of the Floor**

**Charles Bruce Kingsley** thanked the Highway Department for cleaning up the tree that came down in the right of way on South Shore Road in front of his residence. Supervisor Millington also thanked Pat and his crew for installing the flagpole at the park.

**Cathy Ward** asked what the Town does now about the new Town Highway Garage. Supervisor Millington stated that the Town wouldn't be addressing that tonight, but we will be building a garage.

**Legislator William Johnson:** Mr. Johnson reported that there is a new County Administrator. The Watertown airport is receiving a new terminal. It is a 30-million-dollar project.

**Councilmember Bourquin** stated that every meeting the residents interrupt the meeting. That won't be happening tonight. He will pause or adjourn the meeting if the residents continue to interrupt.

### **Supervisor's Report**

Councilmember Farrell expressed his concern about legal costs. We have 26% of the attorney bill left and we are halfway through the year. He stated we need an itemized bill that states who is calling. Another concern he had was that we needed to move more money from our checking account to a savings account. The accountant needs to get the Supervisor's report to the Board sooner. Highway Superintendent Pat Weston expressed his concerns regarding the budget as well. Supervisor Millington moved \$400,000 instead of \$100,000 and his budget is now in the red. Councilmember Gosier stated at the last meeting that she would go over the legal bills and she will present her findings during the Town Board committee report. Councilmember Farrell stated he needs more time to review the Supervisor Report.

**Resolution 2024-128:** Councilmember Donovan made the motion to postpone approval of the June Supervisor's Monthly Financial report and proposed budget transfers; Councilmember Gosier seconded the motion; all were in favor; motion carried.

### **Highway Superintendent's Report**

Highway Superintendent Pat Weston reported that Lance Shore Development is a hay field. There are dirt piles that have been left and it can't be mowed. They need to have access to the water lines to flush the hydrants. He would like the Board to look into this.

### **Clerk's Report**

Monthly Receipts were as follow: Total Local Shares Remitted: \$4,180.97; Total State County & Local Revenues: \$4,242.97 Total Non-Local Revenues: \$62.00

**Resolution 2024-129:** Councilmember Gosier made the motion to accept the Town Clerk's Report for June; seconded by Councilmember Farrell; all were in favor and the motion was carried.

### **TOWN CLERK CERTIFICATION**

A petition requesting a referendum was submitted to the Town of Lyme regarding the Town's proposed highway garage. The petition was reviewed and was determined to be sufficient. The submission of a sufficient petition required the Town to hold a special election regarding whether \$5,260,681.00 ought to be expended in order to construct a new highway barn. Efforts to hold a special election were coordinated with the Jefferson County Board of Elections, and the

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same was held on July 9, 2024, from 12:00 PM until 8:00 PM. The proposition, which was not met with opposition by the Jefferson County Board of Elections, was as follows:

"Shall a maximum of \$5,260,681.00 be expended in order to construct a new Highway Barn?"

For the entirety of the election, two (2) election inspectors, registered and endorsed by the Jefferson County Board of Elections, were present. Those same election inspectors counted the submitted ballots at the end of the eight (8) hour voting period.

I certify-as the Town Clerk for the Town of Lyme that four hundred forty-nine (449) Town residents voted in the special election. Of those four hundred forty-nine (449) Town residents, two hundred fifty-four (254) voted against the proposition and one hundred ninety-five (195) voted in favor of the proposition. Thus, the proposition failed, and the Town Board may take whatever steps are necessary to notify all affected persons.

**Audit of the Bills (Abstracts #13 + 14)**

**Resolution 2024-130:** Councilmember Bourquin made the motion to approve Abstract #13 in the amount of \$45,118.76; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution 2024-131:** Councilmember Gosier made the motion to approve Abstract #14 in the amount of \$105,466.00; seconded by Councilmember Donovan; all were in favor and the motion was carried.

**Approval of the Minutes**

**Resolution 2024-132:** Councilmember Gosier made the motion to approve June Regular Meeting Minutes; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution 2024-133:** Councilmember Donovan made the motion to approve July 1, 2024, Special Meeting Minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Old Business:**

**Revised Solar Law:**

**Resolution 2024-134:** Councilmember Gosier made the motion to contact the Town Attorney for a resolution to initiate a 6-month moratorium in regard to solar; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Barton and Loguidice Water Study:**

There was a discussion on the Barton and Loguidice water contract.

**Resolution 2024-135:** Councilmember Bourquin made the motion to approve the Barton and Loguidice contract for engineer professional services for the Town of Lyme Water District NO. 6 project; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Comprehensive Plan:**

There was a discussion about the Town's comprehensive Plan. Supervisor Millington will be emailing the County to ask for the Town of Lyme Comprehensive Plan to be revised by County Planning.

**New Business:**

**Veteran's Park Door Lock Quotes:**

Supervisor Millington read the three quotes out loud.

Doyle: \$3,945.00

NCC Systems: \$4,038.47

CREG Systems Corp: \$5,947.00

**Resolution 2024-136:** Councilmember Bourquin made the motion to have Doyle install the electric door locks at Veteran's Park Restrooms for \$3,945.00 and go to the transfer site to adjust the camera to record the doors; seconded by Councilmember Gosier; all were in favor and the motion was carried.

**Ribbon Cutting Ceremony:**

Councilmember Gosier asked if the State was scheduling a date for the ceremony. Supervisor Millington stated that they left that up to the Town. Pat Weston stated that there are only a few items that need to be finished. The Town Board agreed to have the ceremony July 31, 2024, at 3:00 p.m.

**Transfer Site Request for Help:**

Supervisor Millington stated that the transfer site needs extra help if someone calls into their shift. There are only two employees currently.

**Resolution 2024-137:** Councilmember Gosier made the motion to advertise the part time/fill in position for the transfer site; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Lyme Heritage Center Fence Painting:**

Councilmember Gosier stated that there is no resolution needed. The president has volunteered to paint the fence.

**Resolution to pay Board of Election Inspectors:**

**RESOLUTION PAYMENT TO ELECTION INSPECTORS FOR  
SPECIAL ELECTION (HIGHWAY BARN)**

**WHEREAS**, a petition was submitted which called for a referendum regarding building a Highway Barn in the Town of Lyme, New York; and

**WHEREAS**, the Town Board for the Town of Lyme held a Special Election in accordance with New York Law; and

**WHEREAS**, two (2) election inspectors were required to be present during the Special Election conducted July 9, 2024; and

**WHEREAS**, the Town has agreed to pay each of the two (2) election inspectors New York \$20.00 an hour for their services; and

**WHEREAS**, each election inspector worked from 11:00 am - 8:30 pm on the day of the Special Election.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board of the Town of Lyme shall issue two (2) checks, each in the amount of \$190.00, for payment of the two (2) election inspectors present during the Special Election and shall issue a 1099 to each inspector.

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

1. The Town Supervisor and the Town Clerk for the Town of Lyme are authorized to execute the documents necessary to issue the aforementioned checks.
2. 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 ___
Thomas Donovan	yes <input checked="" type="checkbox"/> no ___
Timothy Farrell	yes <input checked="" type="checkbox"/> no ___



**Resolution 2024-138:** Councilmember Gosier made the motion to pay the election inspections for the special election (Highway Barn); seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Resolution for Highway Garage Special Election:**

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 July 10, 2024, at 6:00 p.m., there were:

PRESENT:

Supervisor James Millington, Don Bourquin, Julia Gosier, Tim 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 initially held on April 9, 2024 from 12:00 PM until 8:00 PM but incomplete public notice was provided and which led the Board to conduct a new Special Election; and

WHEREAS, a new Special Election was properly conducted on July 9, 2024, from 12:00 PM until 8:00 PM; and

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WHEREAS, the proposition *voted* on during the July special election was "Shall a maximum of \$5,260,681.00 be expended in order to construct a new Highway Barn?"; and

WHEREAS, during the July special election, a total of four hundred forty-nine (449) Town residents voted, of which two hundred fifty-four (254) voted against the proposition; and

WHEREAS, following the special election it was determined that the proposition failed; and

WHEREAS, the Town Board hereby finds that it shall promptly notify interested parties of the same; and

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 notify Town Engineers, and all contractors who submitted bids on Town plans and specifications related to the Capital Project to construct a new Highway Barn.

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 ___
Thomas Donovan	yes <input checked="" type="checkbox"/> no ___
Timothy Farrell	yes <input checked="" type="checkbox"/> no ___

**Resolution 2024-139:** Councilmember Gosier made the motion to accept the resolution stating the Special Election Highway Garage proposition failed; seconded by Councilmember Farrell; all were in favor and the motion was carried.

**Committee Reports**

**Town Board Report:**

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Councilmember Gosier reviewed the Town Attorney bills. The Town has spent approximately \$41,826.00 to date and our budget is \$55,000.00.

\$2,500.00- Supervisor Millington's Lawsuit

\$12,951.00- Highway Garage petition and 2 referendums

\$4,549.00- 2023 Codes Issue

Councilmember Gosier stated regardless of the results of the special election, we still need a new Highway Garage. She suggested getting our current garage professionally inspected by someone other than Jim Millington, Village Code Enforcement Officer. She also suggested having our attorney look at the anonymous letter that was mailed that affected the special election. She then promised the Highway Department that herself and the board will do everything they can to get them into a safe and work friendly building. She thanked them. Lastly, she spoke to Steve Weed about the online privilege of the floor comments. Steve suggested that everyone should include their name to have their comment read. The Board agreed.

Councilmember Farrell said he was happy with the turnout of voters for the special election. He would like to comment on what is going to happen now. First, the Town has tied up all the contractors since December and has been paying on bonds for 7 months. He thinks the Town will have to pay for those bonds. The second concern is when we do start a new building, we will have a hard time getting viable contractors. The next question is for Pat Weston, what happens if the building is condemned, and he must leave a plow truck outside in the weather. Pat explained the complications that would occur if his truck was left outside.

Councilmember Farrell asked Supervisor Millington if he had a plan for cutting the cost of the Highway Garage. Supervisor Millington responded that he had started plans but stopped because the first election went through. Councilmember Farrell said we need a plan to move forward. We should set a date to make a new plan. When we change the Garage, he believes we lose the USDA funding and interest rate. In the anonymous letter it stated Alex Bay received a 0% interest rate. He believes that it is for infrastructure. Clerk Henderson explained that the 0% interest rate for Alex Bay was for Water infrastructure serving 4 Towns and Villages.

Supervisor Millington explained that he will be forming a building committee and Pat Weston will be on it. He also plans to have a contractor and an engineer. He said he will keep the Board update through email.

Councilmember Bourquin explained that there are several things in the anonymous letter that were out in left field. The building will end up costing the Town more money in the long run.

**Assessor's Report:**

There was no report.

**Municipal Water Board Report:**

Kathy Dyer thanked the board for approving the Barton and Loguidice water study contract/proposal.

**Planning Board:**

There were no questions on the minutes.

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

There was no report.

**Youth Commission:**

There was no report.

**ZEO/CEO Report:**

There were no questions on the report.

**TMB Cemetery:**

Councilmember Gosier stated that the stonework is complete, and the mowing still looks great. The Barnes Bay cemetery work has started. The Bronze plaques are complete with everyone from the cemetery listed. The limestone blocks were selected, and the cemetery will be ready for the sesquicentennial. Adam Stevenson will be cleaning up the cemetery.

**Cape Vincent Ambulance:**

There was no July meeting.

**Closing Privilege of the Floor**

**Barb Guqa** asked several questions regarding the Highway Garage vote.

**William Pfaff** said we will lose income if we don't plow the County and State Roads. Another Town will come plow the roads if we don't. He said this is ridiculous and the Town won't save any money because you still must follow State rates. You can't build the place yourself.

**Jennifer Kingsley** questioned if the Town could work on the building without disturbing the USDA loan. The Board has been contradictory. Councilmember Gosier responded that the Highway Department is doing the site preparation for the project. Pat stated we are saving a ton of money by doing the work. He has worked with the previous board and answered every question that has been asked. This is nothing new.

**Melissa Koffs** asked why does she continue to ask questions when she sent the anonymous letter claiming she knows everything?

Jennifer Kingsley admitted to sending the Town residents the anonymous letter. The point is that the Board has passed resolutions for bonding and spending that have not had public hearings or discussions. She stated that no one would have had an issue with the building if it had been discussed in meetings. She made several more comments/questions.

Cathy Ward asked if she had such an interest in the Town why she doesn't run for Town Board.

Tina Fahringer asked Ms. Kingsley why the letter wasn't sent sooner so the community members had time to do their own research.

Jennifer Kingsley made further comments regarding the Highway Garage Special Election.

Marie Millington asked if Councilmember Farrell would promise to move on. Supervisor Millington needs the board's support, not harassment. She stated it needs to be put on record that Councilmember Gosier accused Supervisor Millington of turning around and creaming the Village mayor's car. That is ludicrous and not honest. She then stated that Councilmember Bourquin threw flag poles at Supervisor Millington and tell him to retire. She said the Board needs to grow-up and stop embarrassing the Town. Councilmember Bourquin said he did not throw the poles at him; he threw them in the office. Mrs. Millington said her point is that all this needs to stop and they should work together.

Kathy Dyer thanked Julie, Donnie, Tim, Pat and Ariana for the hard work they put into the Highway garage building. She said it's unfortunate that the vote didn't go through. The whole town suffers.

#### Online Privilege of the Floor

There were several comments that were not read out loud.

#### Adjournment

Resolution 2024-140: Councilmember Bourquin a made the motion to adjourn at 9:13 p.m.; seconded by Councilmember Donovan; all were in favor and the motion was carried.

Respectfully Submitted,

*Ariana Henderson*

Ariana Henderson  
Town Clerk