

Town of Lyme
12175 NYS Route 12 E
Chaumont, NY 13622
September 11, 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 11th day of September 2024.

Public Hearing Solar Law Moratorium:

Supervisor Millington called the public hearing to order at 6:12 p.m.

Tedd Smith spoke in support of the solar moratorium. He listed several reasons as to why we should have the moratorium in place.

Susan Nichols asked if the Riverside Solar would be receiving a PILOT agreement. Supervisor Millington said that it is not yet decided.

Linda Towne spoke in opposition of solar and was in support of the Solar Moratorium. The neighborhood on Country Route 179 is still suffering from the Solar Fire last year.

Bill Kleftis is going to be part of the committee that is being formed to work on the Solar Law. He is against more solar farm entering our Town. He read statistics about Solar in Jefferson County.

John Rusho expressed his concern that there is no fire suppression system in the solar farm and there are no fire lanes.

Robert Ward spoke with an individual that specializes in Indian heritage. If any residents or community members know of architects that have been found this would stop the Solar Farms from going on that land. He stated that the Town Board needs to be on the same page as the residents. Another concern is that if the interconnectivity is approved for new solar farms, they will continue to propose more projects in the future. Supervisor Millington and Councilmember Farrell stated that they are against solar. Councilmember Gosier said that she is not against solar, but she feels there should be a limit on how many acres can be consumed by solar in a particular Town. Councilmember Bourquin stated that this is a taxpayer issue and that is why the Zoning Commission is being put together.

Bill Kleftis discussed the Village Solar project and the tax revenues for the school, village and Town.

Edward Andrews asked what the tax benefits from the Solar project. He doesn't see the benefits.

Linda Towne stated that a PILOT should not be a thing. They should pay their complete share of taxes. Scott Gray's office also told her that the land which is leased to solar should no longer be taxed residential but should be taxed at a commercial rate.

Robber Ward spoke in opposition of solar.

Councilmember Farrell said that he spoke with Scott Gray and Walczak's Offices. Scott Gray told him that our voices are being heard.

Deanna Lothrop made it clear that Lyme Central School did not receive money from the Solar Farm on County Route 179.

Julie Greico asked about the status of the current lawsuit. Clerk Henderson explained that we can't speak on the topic because it is in current litigation.

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Bruce Kingsley said that it is impressive to see so many people come out and they need to reach out to their State and Federal Legislators.

Sue Nichols read an article from a magazine.

Julie Greico spoke about an energy conference that Governor Hochul held.

Resolution 2024-162: Councilmember Bourquin made the motion to close the Solar Moratorium public hearing; Councilmember Gosier seconded the motion; all were in favor; motion carried.

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. There was a moment in silence for those lost on 9/11.

Those present included Supervisor Millington, Councilmember Farrell, Councilmember Bourquin, Councilmember Gosier, Town Clerk Ariana Henderson, John Condino (B&L), Jennifer Kingsley, Bruce Kingsley, Kathy Dyer, John Rusho, Robert Ward, Cathy Ward, Cathy Stone, Heather Lipczynski, Tina Fahringer, Linda Towne, Michael Klock, Karin Klock, Melissa Ewert, Joseph Chernick, Deanna Lothrop, Susan Nichols, Julie Greico, Michael Simser, Deb Simser, Neely Kelley, Katherine Carr, Bill Kleftis, Ted Smith, Jeff Call, William Pfaff, Rowland Talbot, Greg Hoppel, Thomas Wild, and Kathy Staudenmayer.

Those absent include Deputy Supervisor Donovan.

Privilege of the Floor

Bob Gorman from the Lyme Community Foundation was present to update the Town Board on the improvements that have been made at the Copley House.

Cathy Ward said that the Ryans Way Road Sign is missing. She spoke with Pat Weston who said that Ryans Way is a private Road, and they will have to purchase the sign themselves. She said that she felt this wasn't fair.

Edward Andrews stated that he hit a dead end with his no wake zone. Chaumont Mayor Morrow stated that he has information for him, and he would share it after the Town meeting.

Supervisor's Report

Resolution 2024-163: 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

There was no report.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$3,765.47; Total State County & Local Revenues: \$3,713.97 Total Non – Local Revenues: \$51.50

Resolution 2024-164: Councilmember Gosier made the motion to accept the Town Clerk's Report for August; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Audit of the Bills (Abstracts #17 + 18)

Resolution 2024-165: Councilmember Gosier made the motion to approve Abstract #17 in the amount of \$1,095.00 seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2024-166: Councilmember Gosier made the motion to approve Abstract #18 in the amount of \$133,504.60; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Councilmember Farrel said that the attorney fees have decreased but they are still higher than what he would like.

Approval of the Minutes

Resolution 2024-167: Councilmember Bourquin made the motion to approve August Regular Meeting Minutes and August 29, 2024, Special Meeting Minutes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Old Business:

Veteran's Park Sign:

Councilmember Bourquin would like to see the Veteran's Park sign mounted to the side of the restroom facility at the park. This will be the best place to see the sign from the road. The Board also discussed getting a blue sign for near the road which you can order from NYS for \$50.00 a year.

Resolution 2024-168: Councilmember Bourquin made the motion to mount the Veteran's Park sign to the restroom facility; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2024-169: Councilmember Bourquin made the motion for Supervisor Millington to check on getting a blue NYS street sign to label Veteran's Park; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Solar Moratorium Public Hearing:

Establishing a Townwide Twelve (12) Month Moratorium
for Solar Energy Systems and/or Battery Energy Storage Systems

WHEREAS, the Town Board of the Town of Lyme recognizes that there is potential that person(s) might proceed with an application seeking approval for Solar Energy Systems and/or Battery Energy Storage Systems; and

WHEREAS, the Town Board of the Town of Lyme upon review of the Town of Lyme Zoning Law, its familiarity with lands within the Town, considering concerns expressed by some area residents, and in recognition of an obligation to promote the health, safety and welfare of the general public within the Town of Lyme, deems it to be in the public interest to stop and

temporarily suspend the processing of any application(s) that may include Solar Energy Systems and/or Battery Energy Storage Systems within the Town of Lyme; and

WHEREAS, the Town Board anticipates undertaking steps to potentially update, revise and/or amend its Zoning in regard to such activities within the Town and has determined that providing for a temporary moratorium is appropriate; and

WHEREAS, this action is considered a Type IT action under SEQR per 6 NYCRR 617.S(c)(36).

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing regarding a possible moratorium for twelve (12) months was conducted on September 11, 2024 and such information and comments have been considered by the Town Board; and

RESOLUTION -12 Month Moratorium

BE IT FURTHER RESOLVED, that adoption of an up to twelve (12) month moratorium to provide adequate time to fully consider and potentially amend its Zoning Law and/or Solar Energy Law within the Town of Lyme regarding Solar Energy Systems and/or Battery Energy Storage Systems is appropriate and the Local Law establishing the Moratorium is approved; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately and the underlying Local Law shall become effective upon filing with the NYS Department of State.

The foregoing Resolution was offered by Board Member, Bouquin 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 ___

Resolution 2024-170: Councilmember Bourquin made the motion to establish a townwide 12-month solar moratorium; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Moratorium on Quarrying/Mining:

Councilmember Gosier explained the process of the moratorium. She would like to set a public hearing date.

Resolution 2024-171: Councilmember Gosier made the motion to advertise a public hearing for a moratorium on quarrying and mining on October 9, 2024, at 6:10 p.m.; seconded by Supervisor Millington; all were in favor and the motion was carried.

Highway Garage Update:

Supervisor Millington reported that the garage committee and Pat Weston have been meeting with Design Build Innovation these past weeks and have arrived on a design drawing that they all agree on. Pat met separately from the committee. DBI will present the drawings to the Blue Source program for approval. When that is done the committee will meet again to confirm the design and scope of work. DBI will then work out a cost for the complete "turn-key" building. At that point he will schedule a special meeting for a formal presentation to the Board and Public.

Transfer Site Update:

Councilmember Bouquin suggested tabling the discussion. He did state that black bags were never approved to be used at the Transfer Site. Councilmember Farrell stated that we need to look at the rates that we are charging. There was further discussion.

Resolution 2024-172: Councilmember Bourquin made the motion to table the discussion on the transfer site; seconded by Councilmember Gosier; all were in favor and the motion was carried.

New Business:

Budget Work Session Dates:

Resolution 2024-173: Councilmember Bourquin made the motion to advertise the Budget Work Session as follows: Wednesday October 2nd, October 9th, October 16th, October 23rd and October 30th, 2024, at 3:00 p.m. and the Budget Hearing for November 6, 2024 at 6:30 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Youth Commission Pavilion Request:

The Youth Commission requested a pavilion to house the summer rec program this summer in case of bad weather. Councilmember Gosier said that it is a large request. We should discuss it at budget time. Jim Morrow Village Mayor said that the Lyme Parks and Rec plans on picking up the cost of the pavilion and others are willing to donate. The email wasn't a request but send to be informational.

ZBA Secretary Resignation:

Resolution 2024-174: Councilmember Gosier made the motion to accept the resignation of ZBA Secretary Susan Locy; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Advertise ZBA Secretary:

Resolution 2024-175: Councilmember Bourquin made the motion to advertise for the ZBA and Planning Board Secretary Position; seconded by Councilmember Gosier; all were in favor and the motion was carried.

LPAC Tax Exempt:

Resolution 2024-176: Councilmember Gosier made the motion to let Lyme Performing Arts Council use the Town Tax Exempt status; seconded by Councilmember Farrell; all were in favor and the motion was carried.

AED Procedures:

There was a discussion on where the Town AEDs should be stored and what procedures were in place. The Town Board agreed that a joint meeting with Scott Radley and Supervisor Millington should be organized.

Resolution for AFR Report:

The Town AFR Report was submitted. There were a few changes that need to be made according to the Office of the State Comptroller. The Town Development account needs to be changed. Councilmember Bourquin said that we originally set up the fund with a loose definition so it can be used for whatever the Town needed.

Resolution 2024-177: Councilmember Gosier made the motion to motion to reclassify the code for the town development fund to the proper numbering system which will be subject to permissive referendum when withdrawing funds; seconded by Councilmember Bourquin; all were in favor and the motion was carried.

Fall Plantings Veteran's Park:

Supervisor Millington will be contacting Boo Harris on clarification on the Fall Plantings at Veteran's Park.

Committee Reports

Town Board Report:

Councilmember Bourquin reported that he has no heard back from the chairman ZBA and Planning Board in regards to the Zoning Commission for the Solar Law.

Assessor Report:

Memo

DATE: September 11, 2024

TO: James Millington, Supervisor

FROM: Carol Quencer, Sole Assessor

SUBJECT: August 2024 Monthly Report

We would like to follow up on our request for a new computer. We have requested a more detailed quote from Ben to utilize the money we had set aside in the budget for this purchase. We are currently performing data collection and checking parcels that had applied for building permits. This is especially helpful this time of year when all the roads are open and property is accessible.

We are also seeing an influx of residents switching from Basic to Enhanced Star, and adding veteran exemptions onto their property.

We have seen a growing number of residents inquiring about Senior Exemptions. As a reminder the Town income threshold for Senior Exemption is currently 18,500, the Village and the County are at 23,100, and the school limits vary by district.

Updated recent legislation as conveyed to us from the NYS Assessors Association.

FY 2025 State Budget RPTL, Section 922, 1 (c) was revised to read "Each statement of taxes pertaining to residential property shall contain or be accompanied by a notice or legend reading substantially as follows: "IF YOU ARE A SENIOR CITIZEN, A PERSON WITH A PHYSICAL DISABILITY, AND/OR A VETERAN, YOU MAY BE ENTITLED TO A PARTIAL EXEMPTION FROM PROPERTY TAXES. Eligible homeowners have until February 22nd, 2025 to apply for such exemptions. For further information please call or write to the assessor's office." (315) 649-2387, PO Box 66, Chaumont, NY 13622, or 12175 NYS Rte 12E, Chaumont, NY 13622.

NEW LEGISLATION (S8903/A9948) - An Act to amend RPTL, in relation to certain real property tax exemptions to include additional eligibility for people with disabilities. In Summary, Section 1. Paragraph (a) of subdivision 1 of section 459-c of the real property tax law, was amended to expand the eligibility criteria to receive a partial real property tax exemption for persons with disabilities by including persons whose primary residence is in a special needs trust, and real property owners who have a tenant with a disability whose lease provides them with a life interest in the property, as long as the tenant remains in residence.

There were no questions on the report.

Resolution 2024-178: Councilmember Bourquin made the motion to raise the senior citizen exemption to \$23,100.00; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2024-179: Councilmember Bourquin made the motion to spend up to \$1200.00 for a new assessor computer (not including IT services); seconded by Councilmember Farrell; all were in favor and the motion was carried.

Municipal Water Board Report:

Kathy Dyer reported that they are still waiting on the IMA for Hart Road extending Water District #1. She also spoke with John Condino on getting the survey ready for Water District #6.

Planning Board:

There were no questions on the report.

Youth Commission:

There were no questions on the report.

ZEO/CEO Report:

There were no questions on the report.

ZBA Report:

There was no report.

TMB Cemetery:

Councilmember Gosier stated another foundation was put in for a stone.

Councilmember Bourquin asked Heather Lipczynski about the status of the Cedar Grove Cemetery. Heather stated that it is a waiting game with NYS. The Town will receive around \$40,000.00 in savings from the cemetery.

Cape Vincent Ambulance:

Jeff Call gave a report for the Cape Ambulance. He discussed how many calls the Town had and how their billing works. He also invited the residents and Town Board members to attend their meetings on the 2nd Tuesday of every month.

Closing Privilege of the Floor

Edward Andrews asked what the Town policies on dogs were. He has dogs roaming in his yard and he has an issue with this. Clerk Henderson answered that he is in the Village and should call the dog control officer to report the dogs. The Village does have a leash law.

Bruce Kingsley emailed Pat Weston who recently re-paved State Park Road. He stated that it is now 12 to 14 inches higher than his driveway. He requested that the Town put a few loads of crush stone in his driveway. Supervisor Millington explained that if they do that for him they would have to do that for everyone. The road has been raised for the benefit of the residents.

Greg Hoppel commented on the moratorium on mining. He has a concern about large farming equipment being included in the moratorium. He asked if there would be an agriculture exemption. There was an explanation that agriculture is exempt from the Town Zoning Laws. There was further discussion.

Online Privilege of the Floor

There were no comments.

Adjournment

Resolution 2024-180: Councilmember Farrell made the motion to adjourn at 8:25 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk