

Town of Lyme
12175 NYS Route 12 E
Chaumont, NY 13622
February 12, 2025
Water Rates Public Hearing 6:15 p.m.
Regular Monthly Meeting 6:30 p.m.

A public hearing and regular meeting of the Town Board of Lyme, County of Jefferson and the State of New York was held at 12175 NYS Route 12 E at 6:15 P.M., on the 12th day of February 2025.

2025 Water Rates Public Hearing

Call to Order:

Deputy Supervisor Donovan called the 2025 water rates public hearing to order at 6:15 p.m.

The water rates did not change from 2024. There were no public comments or questions.

<u>Bi-monthly Rates Per EDU</u>				
WD # 1	Debt	\$14.00	Water Reserve O&M	\$9.00
	O&M	\$15.00	Water Reserve Capital	\$3.00
WD# 2	Debt	\$35.00	Water Reserve O&M	\$9.00
	O&M	\$19.00	Water Reserve Capital	\$3.00
WD# 3	O&M	\$5.00	Water Reserve O&M	\$9.00
			Water Reserve Capital	\$3.00
WD# 4	Debt	\$25.00	Water Reserve O&M	\$9.00
	O&M	\$19.00	Water Reserve Capital	\$3.00
WD# 5	Debt	\$56.00	Water Reserve O&M	\$9.00
	O&M	\$20.00	Water Reserve Capital	\$3.00

Deputy Supervisor Donovan closed the public hearing at 6:18 p.m.

Regular Meeting

Call to Order:

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

Those present included Deputy Supervisor Donovan, Councilmember Farrell, Councilmember Bourquin, Councilmember Gosier, Town Clerk Ariana Henderson, Legislator William Johnson, Jennifer Kingsley, Bruce Kingsley, Josh Rogers, Aiden Rogers, Ted Smith, Judy Rusho, John Rusho, Janelle Tyler, Ginny Sinclair, Deb Simser, Mike Simser, Dennis Hillick, Daniel Postal, Greg Hoppel, Deanna Lothrop, Beth Wagenaar, Susan Nichols, Neil Hable, Bill Kleftis, Julie Grieco and Karen Greene.

Those absent include Supervisor Millington.

Legislator William Johnson:

Legislator Johnson said he didn't have any information to report.

Bowers and Company, CPA (Janelle):

Janelle presented two options for the Town to facilitate cost savings for payroll. Currently the Town pays \$35,000 for accounting services and payroll through Bowers and Company, CPA. Currently the program the Town uses Enhanced Business Systems which has several issues. This results in more time and effort being devoted to payroll. Payroll is about \$8,000-\$10,000 of the contracted cost (\$35,000).

Janelle gave the Board two options for payroll:

Paychecks would cost around \$5,700 for the first year and \$7,600 for the second. They would file all the required reports.

Costal would be roughly \$6,000 a year. They do not handle the NYS retirement reporting but will file the other required reports.

Janelle also presented another accounting option. QuickBooks online would be \$49.50 for the first three months and \$99.00 thereafter.

Bowers outsources the W-2s and 1099s through "Yearly" which is why they are seeing delays in mailing. Yearly mailed the W-2s to the Town employees from Utah. She apologized for any problems this created.

Councilmember Bouquin complained about Bowers increasing their contract price to \$35,000 after our budget was complete at \$31,200. They help prepare the budget and should have these figures to the Town prior to it being complete.

The Town Board agreed that they needed time to review their options. There were no further questions.

Supervisor's Report

Resolution 2025-20: Councilmember Gosier made the motion to approve the January Supervisor's Monthly Financial report; Councilmember Farrell seconded the motion; all were in favor; motion carried.

Resolution 2025-21: Councilmember Gosier made the motion to approve the budget transfers as listed below; Councilmember Farrell seconded the motion; all were in favor; motion carried.

19724.1 Payments to Jefferson County	17,387.82
19904.1 Contingent Account	-17,387.82

Highway Superintendent's Report

Councilmember Gosier reported that the Lyme Heritage Center had a large tree taken down that was dangerous. She spoke with Superintendent Weston who agreed the Highway Department would remove the tree with Board approval.

Resolution 2025-22: Councilmember Farrell made the motion to approve the Town Highway Department removing the tree at the Lyme Heritage Center; Councilmember Bourquin seconded the motion; all were in favor; motion carried.

Clerk's Report

Monthly Receipts were as follow: Total Local Shares Remitted: \$1,496.79; Total State County & Local Revenues: \$1,553.29 Total Non – Local Revenues: \$56.50

Resolution 2025-23: Councilmember Gosier made the motion to accept the Town Clerk's Report for January; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Audit of the Bills (Abstracts #3 + 4)

Resolution 2025-24: Councilmember Gosier made the motion to approve Abstract #3 in the amount of \$12,102.28 seconded by Councilmember Farrel; all were in favor and the motion was carried.

Resolution 2025-25: Councilmember Gosier made the motion to approve Abstract #4 in the amount of \$237,680.48; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Approval of the Minutes

Resolution 2025-26: Councilmember Bourquin made the motion to approve the following meeting minutes; Regular Meeting January 8, 2025; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Old Business:

Solar Committee Update:

Bill Kleftis, Lead Solar Committee member presented the Town Board with a copy of the proposed revised solar law. Their intention is for this law to replace the Town's current solar law. He read the following letter:

RE: Solar Local Law Number 3 Replacement Proposal and Recommendations

Dear Sirs and Madam,

I respectfully submit the proposed replacement of Local Law #3, Solar Law for the Town of Lyme, with copies to each Town Board member and to Clerk Ariana Henderson. I would like to submit this cover letter and the proposed Local Law as an official record of this proceeding.

I want to thank the members of the committee that contributed to the successful output of the proposed replacement local law.

I would like to provide you with a summary of facts, findings and recommendations that resulted from research during the development of the proposed Local Law replacement. We urgently request that the Town Board take immediate steps to adopt the proposed replacement local law and follow the recommendations below to avoid project approval deadlines before the local law replacement can be adopted.

1) The proposed 38-page replacement law has expanded content in many areas, including detailed requirements for Battery Energy Storage Systems (BESS) and firefighting resources. For reference the current law consists of 20 pages.

2) The committee is not necessarily opposed to renewable energy projects; however current New York State legislation has made it very difficult for local municipalities to not only voice their concerns but to shape their community in the best interests of their citizens. The State of New York is made up of 62 counties and even more municipalities, all with unique needs and plans. New York State has usurped the municipalities in their quest to reach an unachievable goal. Even Governor Hochul has doubts ... at a TV interview last summer she admitted that we need to "... either mitigate or rethink them" (Source Gov. Hochul Ponders a Relaxation of Goals Under New York's Landmark Climate Law - Inside Climate News)

3) The current Solar Law does NOT protect the Town of Lyme from the approval of solar projects that will negatively impact our town. The current law is limited in its scope and resembles the model offered by NYSERDA ... a New York State technical resource that advocates and supports renewable energy strategies.

4) The committee strongly recommends the use of legal counsel that has a proven history of representing municipalities in the siting of solar energy projects, specifically those projects greater than 25MW. In addition, we recommend that the proposed replacement be reviewed, along with a list of recommendations by legal counsel recommended above. We strongly urge against the use of engineering consulting firms and local legal firms, with limited experience and knowledge in the 94C process.

5) Town Board Assistance – The committee is available and willing to participate and assist in any activity related to the siting and permitting of solar projects in the Town of Lyme.

6) It is currently understood that the Village of Chaumont, school and Jefferson County are NOT receiving tax benefits from the 38MW facility on County Route 179. Our understanding is that the lack of knowledgeable management and appropriate legal counsel created this tax deficiency. Our recommendation is to not repeat this outcome and employ the use of experienced resources.

7) The proposed local law replacement is necessary to control the expansion of all future solar projects and to make sure that the Town of Lyme citizens are benefiting without unnecessary costs or degradation to our way of life.

8) The Bay Breeze Project (Permit Application No. 24-00106) has generated a number of documents stored on the Department of Public Service website, recording written communications from Bay Breeze Solar, LLC and NYS Office of Renewable Energy Siting (ORES). Documents can be found at NYSDPS. It is our understanding that there has been very little communication from AES to the Town Board. We recommend that AES provide regular updates in writing and in person to the Town Board. The committee also recommends that the Town initiate a FOIA request for unredacted versions of the list below and share with counsel, consultants and committee members:

- a. Habitat Assessment Report dated January 2025.
- b. Winter Raptor Survey Work Plan Comment Responses dated December 19, 2024.
- c. Wildlife Site Characterization report May 2024.
- d. Breeding Bird Survey Work Plan dated April 2024.

It is necessary for full transparency and sharing of information from AES and all other solar system developers during the evaluation and application stages of the project, for trust and partnership to be fostered. Once the permit application is submitted to the Town Board as complete, the board only has 60 days to evaluate the application. This does not allow for sufficient time for the Town Board, consultants and committee members to sufficiently review and assess the integrity and completeness of the application.

9) The committee recommends that the Town Board or representative sign up for a New York State DMM account to receive emails for any documents added to the Department of Public Service database for all solar projects. The Matter Number for the Bay Breeze Project is 24-03044 and for the Riverside Project is 21-00752. To sign up for this system is: DMM Login (Document and Matter Management System) | Department of Public Service

10) The committee also recommends that landowners leasing their land to companies planning to site solar projects should retain legal counsel to evaluate leasing agreements and the property owner's liability in the event the company becomes insolvent, and the decommissioning bond does not cover the total cost of returning the land to its original state.

We appreciate the opportunity to assist the Town Board in the development of the proposed local law replacement and all future related solar activities.

Sincerely,

Bill Kleftis, Lead Solar Committee Member

Julie Grieco, Ed Jones, Sue Mahoney, Ted Smith, Cathy Ward and Robert Ward, Solar Committee Members

Councilmember Gosier talked to several Town Supervisors and the consensus was that Ben Wisniewski was worth every dime they paid him. She suggested to the Board that a meeting with Ben be scheduled. She said the Town supervisors said the hardest part of the Solar situation was dealing with NYS and that process. Councilmember Farrell agrees that the Town needs to act quickly because the process happens rapidly.

Bill Kleftis stated that Attorney Ben Wisniewski said we are ahead of the game in the battery storage aspect of the law. They took from other Towns and from Gouverneur Hochul's recommendations on battery storage.

There was a discussion on whether there is battery storage on the Riverside Solar project that has been approved. Councilmember Bourquin believed that portion of the project was withdrawn.

There was further discussion on the proposed solar law.

New Business:

2025 Water Rates:

Resolution 2025-27: Councilmember Gosier made the motion to approve the 2025 Water Rates as written; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Three Mile Point No Parking:

Deputy Supervisor Donovan stated that recently there has been issues with individuals parking on Three Mile Point Road making it difficult/impossible for plows and Emergency Vehicles to access the road. The Board agrees it is necessary to restrict parking on this roadway so that the

Town may adequately provide for safe operation of the highway and snow removal. Superintendent Weston will post “No Parking” signs accordingly.

Resolution 2025-28: Councilmember Gosier made the motion to restrict parking on Three Mile Point Road so that the Town may adequately provide for safe operation of the highway and snow removal; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Mowing Bids:

Deputy Supervisor Donovan stated we need to advertise for the 2025 mowing bids.

Resolution 2025-29: Councilmember Gosier made the motion to advertise for the 2025 mowing bids; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Larid Petrie:

Deputy Supervisor Donovan discussed having Larid Petrie perform an audit on the Town to help with the future budget.

Resolution 2025-30: Councilmember Gosier made the motion to have Larid Petrie perform an audit for the Town of Lyme.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Committee Reports

Town Board Report:

Councilmember Gosier asked for a budget increase for Barton and Loguidice to work on the Mining and Quarrying law.

Resolution 2025-31: Councilmember Gosier made the motion to increase the Quarrying/Mining Barton and Loguidice proposal budget by \$5,000.00.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Councilmember Gosier also requested no soliciting signs for all Town properties before Election and petitions start circulating.

Resolution 2025-32: Councilmember Bourquin made the motion to put up “No Soliciting” sign up at all Town Properties.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Councilmember Farrell stated that the Town Board requested the Supervisor return his Town cell phone and the Board did not receive it back. He has not heard any communication from the Supervisor. He is doing a disservice to the Town Residents.

Assessor Report:

Memo

DATE: January 7, 2025

TO: Thomas Donovan, Deputy Supervisor

FROM: Carol Quencer, Sole Assessor

SUBJECT: January 2025 Monthly Report

We would like to inquire once again about the cell phone we requested. We were quoted the standard \$25 for a new line with options for a free phone. This will enable a direct link between email and photos so we can really make progress with updating property record cards as well as the on-line system. It would also keep town business (Excessive pictures and data storage) off personal cell phones and be an additional resource. An increasing number of residents are requesting appointments prior to entering the property if we had a town cell phone, we would not have to make these calls from our own phones and subsequently give residents our personal cell phone numbers. Also keeping the county website to stay up-to date with pictures as well as data is increasingly important as more residents are utilizing this service.

We have been spending much of our time in the office assisting residents with exemption administration. December has been our busiest month thus far with in-person visitors. We are also seeing a large in-flux of calls since people started to get their tax bills.

We are hoping the weather stays mild so that we can finish field inspections for new construction, especially on some seasonal roads. We have been keeping up with them, so we are just checking on the ones that were still being actively worked on to see how far they have progressed by taxable status date.

Serena is starting Fundamentals of Mass Appraisal Online this month and will be working on this during downtime as well as at-home study.

Resolution 2025-33: Councilmember Gosier made the motion to approve the January Assessor Report; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Municipal Water Board Report:

There was no report.

Planning Board:

There was no report.

Youth Commission:

The Youth Commission is looking for volunteer coaches.

ZEO/CEO Report:

There were no questions on the report.

ZBA Report:

There was no report.

TMB Cemetery:

Councilmember Gosier stated there was no business.

Closing Privilege of the Floor

Ted Smith: For the record My name is Ted Smith, resident of the Village of Chaumont. I do not know how much AES has kept the town Board informed as to the Bay Breeze Solar Project. But Since April 12, 2024 - February 3, 2025, AES has filed 50 Items with ORES (Office of Renewable Energy Siting) for an article VIII Permit. Included are Requests for Nondisclosure, Letters, Motions, and Reports, many of which are redacted. The volunteer committee of concerned citizens has spent endless hours over the last 6 months researching and collecting information on solar battery storage and solar projects across NYS. We have also looked at several solar laws adopted by other towns across NYS. We feel the proposed Lyme Solar Law document, as presented to the town board addresses all of the concerns the public has expressed at the AES informal public information meeting hosted by the Town of Lyme held July 11, 2024, at the Chaumont Fire Hall.

It takes the best approach from other towns. It recognizes the unique and valuable resources we have in the town of Lyme. It takes into consideration: threatened and endangered species, significant habitats, wetlands, forest lands, agricultural & farming, scenic views, fire fighters' safety and response, as well as neighboring residents. It does not outright prohibit the development of solar projects but instead provides guidance and direction for the orderly development that is in the best interests of the town of Lyme and the residents. As a Volunteer Fire Fighter and retired Sr Wildlife Biologist from the NYS Department of Environmental Conservation, and concerned citizen, I urge the Town board to adopt the Draft Solar Law for the town of Lyme, or at least contract with Ben Wisniewski to finalize a law for the town. Thank you for your consideration on this matter.

Susan Nichols: Questioned Legislator Johnson on why the 2025 County Tax bills increased when the County has an abundance of funds. She also asked if the Town has any idea if the people who have leased their land for solar have deed restrictions.

Legislator William Johnson responded that the County tax rate decreased. The reason the tax bill shows an increase is because the Town's equalization rate is dropping.

Clerk Henderson also explained the equalization rate. She also stated that the Town does not have property deeds the County Clerk does.

Julie Grieco stated that there are many components of the proposed solar law that is taken from other Towns that Ben Wisniewski wrote. She then read her letter to address the Board:

Board members,

As a concerned resident of Chaumont I strongly urge you to adopt the more comprehensive solar law presented by the solar committee that diligently researched the topic for months.

It would be in the best interest of the Town Board to protect the economy, the quality of life, the environment, the wildlife, and the health and safety of the residents of the Town of Lyme.

This document would be a safeguard to address issues presented in past encounters with solar development companies and any future solar expansion in the town.

The state may not be offering the town any control over solar expansion but at least we can try to enforce responsible development and protect our community's health and economic and environmental future.

We have an obligation to preserve our resources for future generations and have to think of the long-term consequences of our actions.

Thank you for your consideration.

Greg Hoppel agrees with Councilmember Farrell regarding Mr. Millington. He told Deputy Supervisor Donovan that he was doing a great job.

Mr. Hoppel believes only having one privilege of the floor at the end of the meeting is a disservice to the Town residents. Deputy Supervisor Donovan explained this was to keep order to the meeting. Residents were over speaking and interrupting the meetings.

He then questioned if the Town plans to outlaw mining and quarrying. The Town Board said that is not their intention.

He asked where the Town was at with the Town Highway Garage. Deputy Supervisor Donovan said that the Board is still working with the Town Attorney and plans to have something to the public by the next meeting. Mr. Hoppel provided the Board with copies of a building in Groton. He then questioned our payroll and accounting firm.

Jennifer Kingsley asked what the wooden stakes on South Shore Road were for and questioned why the Town Board had an emergency meeting. She stated the public notice did not state a time and the minutes were not published.

She also reported that the tax rate on the tax bills did not match the Town budget.

Councilmember Donovan responded that the Emergency meeting was to purchase a new sander for the Highway Department. He also stated that he has not given the meeting notes to the Clerk to complete the minutes.

Clerk Henderson responded that the stakes were for the speed limit reduction on South Shore Road. She was aware that the County Chargeback figures for the 2025 budget had changed after the budget was completed and submitted to the County. She was unaware that the tax rate was different.

Susan Nichols recommended QuickBooks accounting system. She said it is very easy to use. She also recommended Payroll by McWiz.

Online Privilege of the Floor

There were no comments.

Executive Session

Resolution 2025-34: Councilmember Bourquin made a motion to enter executive session at 8:11 p.m.; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Resolution 2025-35: Councilmember Gosier made a motion to return to open meeting at 8:19 p.m.; seconded by Councilmember Bourquin; all were in favor and the motion was carried.

Adjournment

Resolution 2025-36: Councilmember Gosier made the motion to adjourn at 8:20 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson
Town Clerk