

Town of Lyme

12175 NYS Route 12E
PO Box 66
Chaumont, NY 13622

Phone: 315-649-2788
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RESOLUTION # 74 OF 2025 NEW TOWN HIGHWAY BARN

WHEREAS, the existing Town of Lyme Highway Barn is inadequate and deficient in many respects and fails to meet the reasonable requirements of the Town; and

WHEREAS, the Town Board, with input from the public, the Town's Highway Superintendent and Town Engineer has reviewed and considered various alternatives and options and has determined that a new Highway Barn is reasonably necessary and has set aside funds to offset construction costs; and

WHEREAS, plans and specifications for the new Highway Barn were prepared by the Town Engineer, have been and reviewed by interested persons and culminated in the current design specifications for the Barn (the "Project"); and

WHEREAS, in accordance with NY General Municipal Law §101 a/k/a the WICKS Law bid specifications were prepared, reviewed and approved for each aspect of the Project so that each might be separately and individually bid; and

WHEREAS, in accordance with NY General Municipal Law §103, sealed bids were sought and received for the Project; and

WHEREAS, in regard to General Construction - Contract 1 - four (4) bids were received by the Town Clerk, and reviewed by the Town Board and the Town Engineer and it was determined that Powis Contracting, Inc. was the lowest qualified bidder meeting the specifications regarding Contract 1 in the amount of \$2,552,250; and

WHEREAS, in regard to Mechanical Components – Contract 2 - three (3) bids were received by the Town Clerk, and reviewed by the Town Board and the Town Engineer and it was determined that Ontario HVAC Solutions, Inc. was the lowest

qualified bidder meeting the specifications regarding Contract 2 in the amount of \$979,316; and

WHEREAS, in regard to Plumbing Components – Contract 3 - four (4) bids were received by the Town Clerk, and reviewed by the Town Board and the Town Engineer and it was determined that J.E. Sheehan Contracting Corp. was the lowest qualified bidder meeting the specifications regarding Contract 3 in the amount of \$279,600; and

WHEREAS, in regard to Electrical Components – Contract 4 - seven (7) bids were received by the Town Clerk, and reviewed by the Town Board and the Town Engineer and it was determined that New Century Electric, Inc. was the lowest qualified bidder meeting the specifications regarding Contract 4 in the amount of \$259,792; and

WHEREAS, selection of each of the four (4) qualified bidders was contingent upon appropriate adoption and passage of a Bond Resolution for the overall project; and

WHEREAS, preliminary Notices of Awards were issued to each qualified bidder on/about April 24, 2024; and

WHEREAS, a lawfully sufficient Petition in opposition to the Bond Resolution was timely submitted to the Town Clerk and culminated in a proper, duly noticed Special Election held on July 9, 2024 to vote on the Proposition “Shall the Town spend a maximum of \$5,260,681 to construct a new Highway Barn?”; and

WHEREAS, the election inspectors registered with the Jefferson County Board of Elections provided the final tally for the Special Election: 195 - Yes; 254 – No and as a result the electors voted against the Amended Bond Resolution and the proposition failed; and

WHEREAS, the Town Board notified the Town Engineer and each of the lowest qualified bidders of the results of the Special Election; and

WHEREAS, the Town Board has reviewed the Town’s need for a new Highway Barn with the Town Engineer, the members of the public and each of the lowest qualified bidders and has determined that certain line item deductions from the original plan and specifications might be made and which would not require re-bids for the Project and determined that removing certain line items might be made meeting the general needs of the Town and without altering the functional requirements of the building; and

WHEREAS, the deletions include:

1.	Removing the Solar component	\$100,000
2.	Removing Waste Oil Tank	\$176,500
3.	Removing Waste Oil Boiler	\$14,161
4.	Removing Geo Thermal Wellfield	\$190,000
5.	Removing Thermal Heat Pumps	<u>\$49,059</u>
	SAVINGS	\$529,720

The plumbing inside the building will still incorporate connections for a geothermal system, if it is decided to add this at a later date; and

WHEREAS, by removing the above-referenced items, there will be associated costs of adding the following:

1.	Propane Boiler	\$26,136.17
2.	Insulation	\$8,645
3.	Airside equipment	<u>\$1,144</u>
		\$35,925.17; and

WHEREAS, prevailing wage increases are expected as follows:

1.	Powis	Labor increase - 1-7% (\$27,125)	\$42,125
		Concrete (\$15,000)	
2.	New Century Electric	Labor increase - 1.2%	\$3,067.71
3.	Sheehan	Labor increase - 1-8%	\$5,060
4.	Ontario HVAC	Labor increase – 2.3 %	<u>\$13,612.64</u>
			\$63,865.35; and

WHEREAS, the newly revised total cost of the project has been reduced from \$5,260,681.00 to \$4,822,656.52 (which amount includes a contingency of approximately \$272,897) meaning the total construction costs might be further reduced by approximately \$700,000 – due to deletions and careful planning techniques; and

WHEREAS, the Town Board will consider the adoption of an Amended Bond Resolution for the maximum amount that could be expended totaling \$4,822,656.52, (although the Board intends to allocate approximately \$1,000,000 from a reserve account to further reduce financing costs associated with the Project); and

WHEREAS, the Town's Engineer has reviewed the matter with each of the four (4) qualified bidders in respect to the line item deductions for the original specifications and has received their support and cooperation for the same; and

WHEREAS, the Town Board is prepared to proceed with the Project based

upon the qualified bids previously received with the appropriate line item deductions subject to the appropriate bonding requirements and mandatory referendum.


NOW, THEREFORE, this Board makes the following determinations; and it is hereby resolved

1. The above recitations are incorporated herein.
2. The Town Supervisor, Town Engineer and Town Clerk shall undertake all necessary efforts to give full force and effect to these determinations by the Town Board in this Resolution.
3. This Resolution shall take effect immediately.

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:

Supervisor James Millington	Yes <u>X</u>	No _____
Thomas Donovan	Yes <u>X</u>	No _____
Don Bourquin	Yes <u>X</u>	No _____
Timothy Farrell	Yes <u>X</u>	No _____
Julia Gosier	Yes <u>X</u>	No _____

Dated: April 9, 2025


Ariana Henderson, Town Clerk

TOWN OF LYME

AMENDED BOND RESOLUTION TOWN HIGHWAY BARN

At a regular meeting of the Town Board of the Town of Lyme, Jefferson County, New York, held at the Town Offices at 12175 NYS Route 12E, Chaumont, New York 13622 on the 9th day of April, 2025 at 6:30 p.m., prevailing time.

The meeting was called to order by Supervisor Millington and upon roll being called, the following were present:

James Millington, Supervisor

Thomas Donovan, Councilmember

Don Bourquin, Councilmember

Tim Farrell, Councilmember

Julia Gosier, Councilmember

ABSENT: N/A

The following Amended Resolution was offered by Councilmember Gosier, who moved its adoption, seconded by Councilmember Farrell, to wit:

AN AMENDED BOND RESOLUTION DATED APRIL 9, 2025
A RESOLUTION AUTHORIZING THE ISSUANCE OF SERIAL BONDS OR
A STATUTORY INSTALLMENT BOND OF THE TOWN OF LYME IN AN
AMOUNT NOT TO EXCEED \$4,822,656.52, THE PROCEEDS OF WHICH
ARE TO BE USED FOR SITE PREPARATION AND CONSTRUCTION OF
A NEW HIGHWAY BARN FOR THE TOWN OF LYME.

BE IT RESOLVED, by the Town Board of the Town of Lyme, Jefferson County, New York as follows:

Section 1. The Town of Lyme, in the interests of the citizens of the Town of Lyme, hereby authorizes the issuance of serial bonds or a statutory installment bond for the site preparation and construction of a New Highway Barn (the "Project"). The estimated cost of the Project shall not exceed \$4,822,656.52.

Section 2. The original Bond Resolution of December 8, 2021 is amended to encompass a new cost estimate by the Town Engineers as reflected on the Revised Rural Development (RD) Project Budget/Cost Certification. The new cost estimate and the amount of this Amended Bond Resolution is \$4,822,656.52.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid object and purpose is thirty (30) years, pursuant to Section 11.00 (a)(11)(a)(1) of the Local Finance Law. It is further determined that no down payment is required pursuant to Section 107 of the Local Finance Law.

Section 4. The Town Board plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds in an aggregate amount not to exceed \$4,822,656.52 of the Town, hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

Section 5. The faith and credit of said Town of Lyme, Jefferson County, New York are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall annually be levied on all property of said Town, sufficient to pay the principal of and interest of such bonds as the same become due and payable.

Section 6. Subject to the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes of the issuance and the sale of a statutory installment bond or serial bonds herein authorized, including renewal of such notes, is hereby delegated to the Town Supervisor, the Chief Fiscal Officer. Such Notes shall be of such terms, form and contents and shall be sold in such a manner as may be prescribed by said Town Supervisor consistent with the provisions of the Local Finance Law.

Section 7. All other matters, except as provided herein relating to such bonds, including determining whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether to manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bond are to be executed in the name of the Town by the facsimile signature of its Town Supervisor), including the consolidation with other issues, shall be determined by the Town Supervisor. It is hereby determined that it is to the financial advantage of the Town not to impose and collect from registered owners of such bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals in addition to those required by Section 52.00 of the Local Finance Law, as the Town Supervisor shall determine.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

- (1) Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or

- (2) The provisions of law which should be complied with at the date of publication of this Resolution are not substantially complied with, and an action, suit, or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
- (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. Upon this Resolution taking effect, a summary of the same be published in Watertown Daily Times, the official newspaper of said Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 10. This Resolution is subject to referendum, pursuant to Section 35.00 of the Local Finance Law and Section 94 of the Town Law.


Section 11. This Resolution shall constitute a statement of official intent for the purposes of Treasury Regulations Section 1.150-2. Other than as specified in this Resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

A motion to adopt the foregoing Resolution was made by Board Member Gosier and seconded by Board Member Farrell and upon a roll call vote of the Board was duly adopted as follows:

	VOTING	
	Yes	No
James Millington, Supervisor	<u> X </u>	<u> </u>
Thomas Donovan, Councilmember	<u> X </u>	<u> </u>
Don Bourquin, Councilmember	<u> X </u>	<u> </u>
Tim Farrell, Councilmember	<u> X </u>	<u> </u>
Julia Gosier, Councilmember	<u> X </u>	<u> </u>

The Resolution was thereupon declared and duly adopted.

The above Resolution is a true, complete and accurate copy of a Resolution made and seconded at a regular meeting of the Town Board of the Town of Lyme held on April 9, 2025.


Ariana Henderson, Town Clerk

Town of Lyme

12175 NYS Route 12E

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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 April 9, 2025, at 6:30 p.m., there were:

PRESENT:

Supervisor James Millington

Thomas Donovan

Don Bourquin

Tim Farrell

Julia Gosier

ABSENT: N/A

WHEREAS, a Resolution to proceed with a new Highway Barn, as revised was adopted on April 9, 2025, subject to successful bonding for the Project; and

WHEREAS, an Amended Bond Resolution was adopted by the Town Board on April 9, 2025; and

WHEREAS, the Town Board adopts this Resolution calling for a mandatory referendum regarding the Amended Bond Resolution in accordance with New York Town Law § 94 and which special election must be held within forty (40) calendar days of adoption 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. A Special Election regarding the construction of a new Town Highway Barn shall be held on May 13, 2025.
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 the Town spend a maximum of \$4,822,656.52 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, Gosier, and seconded by Board Member, Farrell, and upon roll call vote of the Board was duly adopted as follows:

Supervisor James Millington	Yes <u>X</u>	No _____
Thomas Donovan	Yes <u>X</u>	No _____
Don Bourquin	Yes <u>X</u>	No _____
Timothy Farrell	Yes <u>X</u>	No _____
Julia Gosier	Yes <u>X</u>	No _____

Dated: April 9, 2025


Ariana Henderson, Town Clerk

NOTICE OF SPECIAL ELECTION

Town of Lyme, New York

RE: TOWN HIGHWAY BARN

PLEASE TAKE NOTICE that a Special Election will be held on **May 13, 2025**, regarding construction of, and financing for, a new Town Highway Barn. The election shall be held at the **Town Offices located at 12175 NYS Route 12E, Chaumont, NY 13622**. **The polls shall open at 12:00 pm and shall remain open for voting until 8:00 pm**. The proposition to be voted on will be as follows: **"Shall the Town spend a maximum of \$4,822,656.52 to construct a new Highway Barn?"**

Please note that voters must meet eligibility requirements in order to vote in the Special Election.

Date: April 9, 2025


Ariana Henderson - Town Clerk