

Town of Lyme
12175 NYS Route 12E
Chaumont, NY 13622
April 29, 2025
Special Meeting 4:00 p.m.

Call to Order

Supervisor Millington called the regular monthly meeting to order at 4:00 p.m.

Those present included Supervisor Millington, Deputy Supervisor Donovan, Councilmember Farrell, Councilmember Bourquin, Councilmember Gosier, Town Clerk Ariana Henderson, Jennifer Kingsley, Bruce Kingsley, Mark Zegarelli, Robin Grovesteen, Erin Fulton, Michael Nichols and Lynda Jackson.

Old Business

BAR Appointment:

Councilmember Bourquin stated Tina Fahringer has submitted a resignation letter for her position on the Board of Assessment Review. Grievance Day is approaching quickly, and they need another member. Susan Locy and Angela Kriigel, both of whom have previous experience as assessors, have expressed interest in the position. Tim shared his concerns and recommended that both candidates be interviewed. The Board agreed that Supervisor Millington and Deputy Supervisor Donovan will conduct the interviews for the BAR position, with the appointment to be made at the next meeting on May 14th.

12E Fields/Veteran's Park/Morris Tract Mowing:

There was discussion on the mowing of the 12E Fields/Veteran's Park/Morris Tract fields. Average Guys can only mow once a week instead of twice a week. Pat Weston agreed to mow the fields a 2nd time each week if Average Guys would be to mow once a week. Originally TnT Property Services won the bid but their price didn't include the 12E fields. They stated that they don't have the equipment. Limitless Lawncare didn't have proof of insurance. Average Guys agreed to reduce his price to mow once a week.

Resolution 2025-85: Deputy Supervisor Donovan made the motion to have Average Guys mow Veteran's Park, 12E Ball Fields and Morris Tract field once a week with a contract to reflect the changes; seconded by Councilmember Gosier; all were in favor and the motion was carried.

Approve Mailing Special Election Letter:

Resolution 2025-86: Councilmember Gosier made the motion to mail the Highway Garage Special Election Letter and approve any related expenses; seconded by Deputy Supervisor Donovan; all were in favor and the motion was carried.

New Business

Judges Audit:

Resolution 2025-87: Councilmember Gosier made a motion to approve the Justice Audit performed by the Town's Audit Committee and required by the Uniform Justice Court Act upon the examination of Town Justice Robin Curtis' Court Records and Town Justice Richard Wallace's Court Records for the fiscal year 2024; seconded by Councilmember Farrell. All information, documentation and figures were found to be in order and in compliance.

Town Office Conditions:

The Town Supervisor received a letter from the New York State Department of Labor, Public Employee Safety and Health Bureau (PESH). NYS PESH received a notice of alleged safety and health hazards at: Lyme Town Hall, 12175 State Route 12E, Chaumont, New York 13622.

Supervisor Millington stated that there are 3 steps to take to see if you have mold in the building. He contacted Converse Labs to take air samples of the building. He said it would cost around \$1,000.00. They would give us a list of things that should be done. The Town needs to complete a plan and submit it to NYS Department of Labor PESH.

Supervisor Millington read the letter from the New York State Department of Labor, Public Employee Safety and Health Bureau (PESH) out loud.

April 22, 2025

James Millington,
Town Supervisor
Lyme Town Hall

Dear Mr. Millington:

On April 17, 2025, the New York State Department of Labor, Public Employee Safety and Health Bureau (PESH) received a notice of alleged safety and health hazards at: Lyme Town Hall, 12175 State Route 12E, Chaumont, New York 13622.

The specific nature of the alleged hazard is as follows: employees are exposed to visible black mold on concrete walls and where the walls and floor meet.

We have not determined whether any hazards, as alleged, exist at your workplace, and we do not intend to conduct an inspection at this time. However, since allegations of violations and/or hazards have been made, we request that you immediately investigate the alleged conditions and make any necessary corrections or modifications.

Please advise me in writing, no later than May 6, 2025, with the results of your investigation. You must provide supporting documentation of your findings, including any applicable observations and photographs/video which you believe would be helpful, as well as a description of any corrective action you have taken or are in the process of taking, including any previously corrected conditions relative to this complaint.

If corrections are required and cannot be made immediately, please advise this office of the time you will need to make the corrections, by indicating a specific abatement date. Include in the notification any interim measures you will take to protect the employees until the conditions are completely corrected. After the corrections are completed, please provide a detailed description of the final abatement as indicated above.

It is our goal to assure that hazards are promptly identified and eliminated. Please take immediate corrective action where needed. We encourage employee participation in investigating and responding to any alleged hazard. If we do not receive a response from you indicating what appropriate action has been taken or that no hazard exists and why, a PESH inspection will be conducted.

An inspection may include a review of documentation, including but not limited to, the following: injury and illness records and related safety and health programs.

You are requested to post a copy of this letter where it will be readily accessible for review by all your employees and return a copy of the signed Certificate of Posting to this office. In addition, you are requested to provide a copy of this letter and your response to it to a representative of any recognized employee union and/or safety committee. Failure to do this may also result in an on-site inspection. The complainant has been furnished a copy of this letter and will be advised of your response. The PESH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activities.

PESH offers consultation services, without charge, to assist in resolving all occupational safety and health issues. To discuss or request the consultation services or if you have any questions concerning this inquiry, please contact me at 516-329-3163 or albert.cardinale@labor.ny.gov. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

Albert Cardinale

Albert Cardinale
Safety and Health Inspector

Councilmember Farrell asked why PESH, County Codes, or the Village Codes Officer haven't been involved in the past regarding the Town Building Conditions.

Supervisor Millington stated that he has had conversations in the past with past Supervisors and nothing was done. He said that Codes doesn't have any jurisdiction over mold.

Robin Grovesteen stated that PESH was already at both Town buildings and they recommended an outside company to come to test air quality.

Councilmember Gosier recommended calling converse tomorrow to get the air quality tests. She also told Supervisor Millington he should contact the State and let them know the plan we are taking.

Pat Weston stated that this started 23 years ago. He started a plan to get new highway garage and town offices in 2010.

There was further discussion on the Town Office conditions.

Resolution 2025-88: Councilmember Bouquin made the motion to hire converse labs to do air quality testing at both the Town Offices and Highway Garage.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Village Trustee Nichols asked that the Village be notified about the conditions of the Town Hall and the status of the air quality testing.

Adjournment

Resolution 2025-89: Councilmember Donovan made the motion to adjourn at 5:01 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Re-Open Meeting

Resolution 2025-90: Councilmember Donovan made the motion to re-open the meeting at 5:02 p.m.; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2025-91: Councilmember Gosier made the motion to accept Tina Fahringer's resignation from the Board of Assessment Review; seconded by Councilmember Farrell; all were in favor and the motion was carried.

Resolution 2025-92: Councilmember Farrell made the motion for Town Granter Writer Scott Burto to apply for the NYS Parks MPE Grants; seconded by Councilmember Donovan; all were in favor and the motion was carried.

Adjournment

Resolution 2025-93: Councilmember Gosier made the motion to adjourn at 5:05 p.m.; seconded by Councilmember Donovan; all were in favor and the motion was carried.

Respectfully Submitted,

Ariana Henderson

Ariana Henderson

Town Clerk