

May 12, 2015

At 7:00 pm, Supervisor Gayle Ashbery called to order the regular monthly meeting of the Town Board of the Town of Carlton. Present were the following Board members: Councilman Robin Lake, Councilman James Shoemaker and Councilman Dana Woolston

Also present were Gene Massey, Town Assessor; Lynda Woolston, Code/Zoning Officer; Dave Krull, Highway Supt. and Kathy Bogan, Town Attorney.

Following roll call and the Pledge of Allegiance, a moment of silence was held for the passing of Councilwoman Joyce Harris. The minutes of April 14, 2015 were approved, motion by Mr. Shoemaker second by Mr. Lake and carried.

The Supervisor's report was approved, motion by Mr. Woolston second by Mr. Shoemaker and carried.

The Town Clerk's report was approved, motion by Mr. Lake second by Mr. Woolston and carried.

The Code/ Zoning Officer's report was approved, motion by Mr. Lake second by Mr. Shoemaker and carried. Mr. Woolston abstained.

Judge Russell's report was approved, motion by Mr. Shoemaker second by Mr. Woolston and carried

Judge Hurley's report was approved, motion by Mr. Lake second by Mr. Shoemaker and carried.

Dave Krull gave an update on highway and water departments activities. He also stated that his departments are going to be starting to grade, pave and crack seal roads.

Dave Krull bought the International truck that has 7,600 miles and a 2 year old stainless all season box for \$60,000. It did not come with a plow so he will be looking around for one. He is estimating that it will cost approximately \$1,700.

The Fire Company responded to 21 calls with 366 man hours.

Gene Massey stated that the Tentative Tax roll is complete and the property inventory mailers should go out by the end of May. Also Grievance Day is Wednesday, May 27, 2015.

General Fund vouchers for \$ 6,841.64 were approved for payment, motion by Mr. Woolston second by Mr. Lake and carried.

Highway Fund vouchers for \$80,396.78 were approved for payment, motion by Mr. Shoemaker second by Mr. Woolston and carried.

Water Fund vouchers for \$ 451,808.70 were approved for payment, motion by Mr. Lake second by Mr. Shoemaker and carried.

Gayle Ashbery stated that the reason the Water Fund vouchers were so high is because we had the first draw on the new Water project. The new water project is going as planned and there are no issues.

The following bids were submitted for mowing of abandoned property: Gene Hart, B&B Lawncare, Bill Chase, Timothy Newton and SPS Lawn Care. (copies attached). Two bids were also received for mowing of the Cemeteries. The Board decided to stay with a Town Employee for the cemetery mowing. A motion by Mr. Woolston to hire Lakeshore Lawn Care was seconded by Mr. Lake and carried.

Under new Business Jim Shoemaker spoke regarding NORA Initiative in supporting Congressman Collins fight against DC Plan 2014. Mr. Shoemaker would like a Resolution for Lake Ontario water level control drafted. Motion by Mr. Lake to pass this resolution was seconded by Mr. Woolston and carried. (copy attached).

Mrs. Ashbery appointed Councilman Woolston. Deputy Supervisor effective May 1, 2015.

Mrs. Ashbery stated that she would like a letter from the Fire Department regarding the changing the one way section of Oak Orchard River Rd.

The north portion of Transit Rd is closed due to a culvert bridge, and Mr. Krull does not understand why. We never received notification and the Carlton Fire Co. was also not notified.

At 7:30 PM, a motion by Woolston to recess the regular meeting for the scheduled Public Hearing on Local Law #1 for 2015: A Local Law to Amend Section 625 of the Zoning Ordinance of the Town Of Carlton as to Camping Units/ Recreational Vehicles was seconded by Mr. Lake and carried.

Richard Hoffman stated that this new law is against families and local businesses. It is going to cut down on tourism.

Donna Ciccarelli of Lakeside Park Rd first brought a complaint against a property that has a family living in a camper and wants to know what has been done about it. The property owners are now preparing a permanent concrete pad for the camper. This is a non-conforming lot.

Kathy Luescher spoke in favor of the Law.

Larry Dipalma of Pt. Breeze Rd wants to know who will be enforcing this new law and what are the fines. The penalties are listed in the Zoning Ordinance.

Trish and Dave Martin spoke against the Proposed Law and want the current law to stay. They don't mind 4 times a year. This will diminish property values and the ZBA can be used for a variance.

At 7:45 PM, all persons being heard, this hearing was closed.

At 7:50 pm, a motion by Mr. Shoemaker to reconvene the regular meeting was seconded by Mr. Woolston and carried.

Mr. Woolston stated that he is ok with the current Law and allowing 3-4 weekends per year.

Mr. Lake stated that things need to change. Setbacks are the key and with this new Law we will have to right and power to police it. Property owner should be able to use their properties as long as not bothering their neighbors.

Mr. Shoemaker stated that this is not a new law, same law with some changes. Last summer we still had problems and now have this new proposed Law. The ZBA is a good idea and we should stay with what we have now.

Mrs. Ashbery stated that we should try to accommodate our residents and this law does that.

A motion by Mrs. Ashbery for a roll call vote on proposed Local Law #1 for 2015. A law to Amend Section 625 of the Zoning Ordinance of the Town of Carlton as to Camping Units/ Recreational Vehicles. Woolston Nay, Ashbery Aye, Lake Aye, Shoemaker Aye and carried.

Barb Ghormley of Kendrick Rd. wanted to know if there was any way that the new water line could be extended down two houses so that it reaches her and Bobby Brown. Mr. Krull apologized and stated that they cannot run it further down as the money is already committed to other things and if they want they can pay to have their own line run from where the Town water line ends.

Mr. Krull stated that the three town signs will be mowed and mulched and bushes will be planted in front of the Town Building.

At 8:35pm, a motion by Mr. Shoemaker to adjourn was seconded by Mr. Woolston and carried.


Pamela E. Rush, Town Clerk

TOWN OF CARLTON RESOLUTION:

NORA INITIATIVE IN SUPPORTING CONGRESSMEN COLLINS FIGHT AGAINST IJC PLAN 2014

WHEREAS, In June of last year, the International Joint Commission introduced Lake Ontario St. Lawrence River Plan (Plan 2014); and

WHEREAS, the U.S. Department of State is currently conducting and inter-agency review of Plan 2014, seeking information specifically from the Environmental Protection Agency, the Army Corps of Engineers and the Department of Transportation; and

WHEREAS, Plan 2014 will have a devastating impact on the communities along the Lake's southern shoreline. The Plan will increase the frequency of raising and lowering the water levels in Lake Ontario. The fluctuation in water levels will result in increased erosion damage to the shoreline, including the properties of businesses and homeowners; and

WHEREAS, Plan 2014 would also raise the current water maximum by 2.4 inches and will increase the annual cost of shoreline maintenance and protections by 13 percent. The plan offers no means of compensation to the stakeholders who will be negatively impacted by this man made property damage; and

WHEREAS, the IJC received over 5,000 letters from organizations and constituents opposing the plan, yet the IJC has done nothing to address the negative impacts that increasing frequency of water level fluctuation will have on these communities; and

WHEREAS, the Plan spans six counties in Upstate New York and would cause damage to land assessed at nearly four billion dollars; and

WHEREAS, U.S. Representatives Chris Collins (NY-27) and John Katko (NY-24) jointly sent a letter to the House Committee on Appropriations Subcommittee on State, Foreign, Operations and Related Programs requesting language be included in the House Budget preventing any use of federal funding to implement IJC Plan 2014; now be it

RESOLVED, that the Town Board of the Town of Carlton supports NORA's initiative in supporting Congressman Collins fight to eliminate the IJC's ability to implement Plan 2014 which will provide certainty to the communities who have seen repeated efforts by the IJC to disrupt the current shoreline protections; and now be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to the International Joint Commission, the New York Department of State, the New York State Department of Environmental Conservation, the New York State Environmental Facilities Corporation, U.S. Secretary of State John Kerry, U.S. Senator Charles E. Schumer, U.S. Senator Kirsten E. Gillibrand, U.S. Congressman Chris Collins, Governor Andrew M. Cuomo, Senator Robert Ort, Assemblyman John D. Ceretto, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, Senate Environmental Conservation Committee Chairman Thomas O'Mara, Assembly Environmental Conservation Committee Chairman Steven Englebright, EPA Region II Administrator Judith Enck, Orleans County Legislature Chairman David Callard, Niagara County Legislature Chairman William L. Ross, NYSAC, InterCounty of Western NY, Towns in Orleans County, and all others deemed necessary and proper.

Resolved by the Town of Carlton this 12 day of May, 2015

Section 625 CAMPING UNIT/RECREATIONAL VEHICLE

PURPOSE: The purpose of this camping regulation is to offer reasonable and consistent parameters so residents and visitors can enjoy camping while keeping our neighborhoods clean, attractive and functional.

DEFINITION: Camping Unit/Recreational Vehicle: Any temporary living quarters mounted on wheels and drawn by a power driven vehicle or self-propelled unit.

- A. A camping unit/recreational vehicle shall only be occupied on an overnight basis at an approved camping ground or on a property with adequate septic and electric unless self-contained with the consent of the property owner and pursuant to these regulations. No camping units/recreational vehicles shall be allowed to be occupied overnight on unimproved property.
- B. It is the property owner's obligation to obtain a camping permit for any overnight occupancy of the camper/recreational vehicles from the Town Clerk.
- C. Said camping permit must be displayed on the outside of each camper/recreational vehicle during the approved occupancy period so the camping permit is visible from the road when possible.
- D. A camping unit/recreational vehicle shall be occupied for no more than three (3) consecutive days and no more than four (4) permits per year shall be issued to the property owner and only during the camping season May 1st through October 15th. The permit shall be valid for all campers/recreational vehicles on said property during each time period of the permit.
- E. All camping units/recreational vehicles on conforming lots are to be placed or stored on the side or rear areas of property in accordance with the setbacks required for buildings in the respective zone. On all properties, said campers/recreational vehicles shall be placed or stored such that there are no restrictions for fire/rescue equipment and normal traffic access to the property or subsequent properties.
- F. Camping units/recreational vehicles must not be used for monetary gain or rental purposes unless situated within an approved campground.
- G. Camping units/recreational vehicles are not allowed to be used for permanent residence.
- H. Attachments to the camping unit/recreational vehicle such as permanent decks or a shelter over the unit are not allowed.
- I. No more than 3 campers/recreational vehicles shall be occupied at one time on conforming lots and no more than 1 camper/recreational vehicle shall be allowed to be occupied on non-conforming lots in accordance with these regulations, all of which must be placed pursuant to the relevant set-back requirements of the respective zone and in accordance with paragraph C of this regulation.
- J. No more than 2 camping units/recreational vehicles shall be stored unoccupied at any time on improved conforming lots. No more than one camping unit/recreational vehicle shall be stored unoccupied on improved non-conforming lots. In all cases of storage of unoccupied campers/recreational vehicles, they shall be stored to meet the set back requirements of the respective zone of that property and placed in accordance to paragraph E of this regulation. Further the camping unit/recreational vehicle being stored must be owned by the record property owner where it is stored.
- K. A camping unit/recreational vehicle that is occupied on an overnight basis pursuant to these regulations must have and use self-contained sanitation equipment. Holding tank waste disposal must be at an approved pump out station if performed in the Town of Carlton. A removable "Port-a-Pottie" or similar self contained storage unit must be properly emptied into the septic system of the improved property using the building toilet, or must be emptied at an approved pump out/sanitation disposal station.