

June 9, 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 Dave Krull, Highway Supt. and Kathy Bogan, Town Attorney.

Following roll call and the Pledge of Allegiance, a motion by Mr. Woolston to appoint Marcus Coville to the Town Board term ending 12/31/15 was seconded by Mr. Shoemaker and carried.

The minutes of April 23, 2015 were approved, motion by Mr. Shoemaker second by Mr. Lake and carried. The minutes of May 12, 2015 were approved, motion by Mr. Shoemaker second by Mr. Woolston and carried. The minutes of May 23, 2015 were approved, motion by Mr. Woolston second by Mr. Lake and carried.

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

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

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

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

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

Mr. Krull gave an update on highway and water departments activities.

The Fire Company responded to 22 calls with a total of 212 man hours.

Andrew Niederhofer stated that the Fire Company had received a phone call from AFG that they will be receiving a state grant totaling \$41,000. They will use this to update tactical rescue equipment.

General Fund vouchers for \$ 9,467.71 were approved for payment, motion by Mr. Shoemaker second by Mr. Lake and carried.

Highway Fund vouchers for \$149,138.09 were approved for payment, motion by Mr. Woolston second by Mr. Lake and carried.

Water Fund vouchers for \$ 290,533.87 were approved for payment, motion by Mr. Lake second by Mr. Woolston and carried.

Mr. Krull stated that the County has removed the culvert on the North end of Transit rd. The County is working on the culvert and that portion of the road should be re-opened within 2-3 weeks.

Gayle Ashbery reminded Andrew Niederhofer to get a letter from the Fire Department regarding changing the one way section of Oak Orchard River Rd.

Mr. Krull stated that the New Water project is coming along and is set to be completed on time.

A motion by Mr. Woolston to pass a Resolution regarding Sales Tax Revenues back to Towns seconded by Mr. Lake and carried. (copy attached).

A motion by Mr. Lake to appoint Royce Stinson to the Planning Board replacing Jim Bell term ending 12/2020 seconded by Mr. Shoemaker and carried.

BE IT RESOLVED, that the TOWN BOARD of the Town of Carlton hereby authorize the Supervisor to sign the "Amendment B to the 2015/16 Snow and Ice Contract Extension". Motion by Mr. Shoemaker second by Mr. Lake and carried.

Dave Krull Requested permission to list the old 1 Ton Plow truck on the Auction site, if the truck gets bids at the auction Mr. Krull will bring the amount back to the board for approval.

A motion by Mr. Shoemaker to remove four part time/labor positions, two MEO positions, the animal control officer and a clerk to the Assessor position from the Civil Service list seconded by Mr. Lake and carried.

Eileen Wiethrich asked if the positions are going to be affecting any current filled positions. Gayle stated that all of the positions were vacant and unneeded.

At 7:20 pm, a motion by Mr. Shoemaker to adjourn was seconded by Mr. Woolston and carried.


Pamela E. Rush, Town Clerk

The Town Board of the Town of Carlton hereby resolves the following:

WHEREAS, the County of Orleans budgets for the receipt of approximately \$15 million per year in the County sales tax revenue; and

WHEREAS, the County of Orleans retains approximately ninety-two (92%) percent of said sales tax revenue, while remitting to the villages and towns of Orleans

County only approximately eight (8%) percent; and

WHEREAS, all Orleans County villages and towns have depended on this vital revenue source of sales tax revenue as a significant component of their local budgets helping stabilize the real property tax levy; and

WHEREAS, all municipalities should fairly share the benefit from the growth in the sales tax revenue in good economic times, and have fairly shared the burden from a declining County sales tax revenue during difficult economic times; and

WHEREAS, the Governor and the New York State Legislature enacted a property tax cap of two (2%) percent in 2011 for all local governments without any mandate relief, adding to the difficulty for local government to meet its fiduciary obligations; and

WHEREAS, the sales tax revenue distribution formula as enacted by the County of Orleans, disproportionately and adversely impacts all villages and towns, and has resulted in many municipalities having to cut services and increase property tax levy to offset loss of County sales tax revenue, and, in many cases, will require municipalities to override the mandatory two (2%) percent property tax cap; and

NOW, THEREFORE, BE IT RESOLVED, that the recitations above set forth and incorporated in this Resolution as if fully set forth and adopted herein; and

BE IT FURTHER RESOLVED, that the Town Supervisor and the Town Board of the Town of Carlton oppose the current County sales tax distribution formula; and

BE IT FURTHER RESOLVED, that the Supervisor and the Town Board of the Town of Carlton call upon the entire Orleans County Legislature to modify and change the current formula for the County sales tax distribution and revenue sharing with all villages and towns of Orleans County; and

BE IT FURTHER RESOLVED, that the Supervisor and the Town Board of the Town of Carlton request that the Orleans County Legislature modify the County sales tax distribution and revenue sharing formula to: (i) immediately factor in the real property values of all properties within the municipality, including those that are non-taxable properties; (ii) immediately increase the sales tax revenue that is shared with County municipalities to ten (10%) percent of the gross amount as opposed to the current eight (8%) percent; and (iii) the Orleans County Legislature immediately

increase the Village and Town share of sales tax revenue by one(1 %) percent, per year, of the gross sales tax revenue spread out over the next ten (10) years, bringing the final Village and Town share of the gross County sales tax revenue to twenty (20%) percent by the end of said period; and

BE IT FURTHER RESOLVED, that the Supervisor and the Town Board of the Town of Carlton believe said increase in said sales tax revenue sharing with the villages and towns of Orleans County may reduce property tax for the residents and businesses, resulting in more investments in the community events, parks and recreational areas resulting in a better residential and business climate throughout the County of Orleans, which, in turn, will generate more sales tax revenue; and

BE IT FURTHER RESOLVED, that the Supervisor and the Town Board of the Town of Carlton directs the Town Clerk to memorialize a copy of this Resolution and forward copies of this Resolution to the Orleans County CEO, the entire Orleans County Legislature.