

# Meeting Agenda

Town of LeRay Town Board

April 11, 2024

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The Town Board meeting will be held at 4:00 pm on **Thursday, April 11, 2024** in the Board Room of the Municipal Office Building, located at 8650 LeRay Street, Evans Mills, NY 13637. Please visit [www.townofleray.org/boards/town\\_board/index.php](http://www.townofleray.org/boards/town_board/index.php) for a list of all supporting documents for the meeting.

## The meeting agenda is as follows:

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1. Call to Order
2. Pledge of Allegiance
3. Approval of Minutes from March 14, & 28 2024
4. Comments from the floor
5. Public Hearing:
6. New Business
7. Old Business
8. Report from the Community Development Coordinator, Jessica Jenack
9. Report from the Town Engineer
10. Report from the Zoning Enforcement Officer, Lee Shimel
11. Report from DANC, Kenny Kizzer
12. Report from the Town Assessor, William Vargulick
13. Report from the Highway Superintendent, Daniel Young
14. Report from the Town Clerk, Melissa Verne
15. Report from the Clerk to the Supervisor, Nathan Toutant
16. Report from the Town Attorney, James Burrows
17. Comments from the floor



# THE NORTH COUNTRY ADVENTURE TEAM

*Allen Cooper*

## Child registration and dates *315-783-6356*

We are excited to welcome kids ages 5-18 that are off of training wheels to a new opportunity!!! Our child registration fee is \$25. There is in person registration at the North Country Store in Philadelphia on May 1st and 2nd from 5-6pm. If there are open spots after our registration event, kids can be signed up at [bikereg.com/ncatkid](http://bikereg.com/ncatkid).

We will have Orientation Day on July 2nd at 6 pm at the fields next to the Indian River Bus Garage for 45 minutes for parents, kids, and coaches. Our summer bike programming starts on Thursdays from July 11th-August 22nd from 6-8 pm at the same location. Kids are expected to bring a bike, helmet, and water bottle or hydration pack. Parents will hand off kids to their coaches and pick them up the same way. More information is on our website!

## We are looking for volunteers!

We are looking for individuals who want to help children get more active in a lifetime sport! All coaches will need to pass a background check and complete a training session on either April 20th or May 18th. Volunteers will be either on the bike coaches or off the bike support.

VOLUNTEER REGISTRATIONS ARE

**\$30**

AT [BIKereg.com/NCATVOLUNTEER](http://BIKereg.com/NCATVOLUNTEER)



[ncadventureteam@yahoo.com](mailto:ncadventureteam@yahoo.com)

[ncadventureteam.wixsite.com/community](http://ncadventureteam.wixsite.com/community)

Robert Boucher – Mayor  
David Edwards – Superintendent  
Taylor Scheer – Clerk- Treasurer  
Melissa Dobbins – Deputy Clerk -Treas  
Michael Doxtater – Code Enforcement

VILLAGE OF  
*Evans Mills*

Greg Smith –Trustee  
Virginia Wendt – Trustee  
JoAnna Malone – Trustee  
Edward O'Brien - Trustee

8706 NOBLE STREET, P.O BOX 176  
EVANS MILLS NY 13637  
315-629-4753  
**INCORPORATED IN 1922**

March 13, 2024

The Village is still in the process of a significant 10-to-12-million-dollar Wastewater Treatment & Disinfection Project. We want to prepare our residents as we continue to advance through each phase of this project and how it will affect your utility bills in the future. To afford this project, we need to obtain **\$8,086,941.18** in funding, and the Village is actively applying.

A significant requirement to receive funding is to charge 1.5% of the median household income of the Village. Therefore, the Village Board voted on March 7th, 2024, to increase the sewer rates to **\$164.00** a quarter per unit (\$656 per year). New charges will take effect on June 1st, 2024, although you will see it on your September 1st, 2024, billing cycle.

We realize that this project may cause some inconveniences, and we would like to apologize in advance for any disruption it may cause to our residents. This project will significantly improve our infrastructure and help the Village stay independent.

We will continue to distribute updated information as the project advances. If you have any questions, don't hesitate to contact any board member or attend a Village Board meeting. Meetings are on the second Tuesday of each month at 6 pm in the Village Office, 8706 Noble Street, Evans Mills, NY 13637.

Please see the back of the letter for an example of payments the village would pay if we receive zero grant funding.

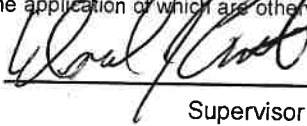
*Thank you!*  
Robert Boucher  
Robert Boucher  
Mayor  
Village of Evans Mills

	<b>Fiscal Year Ending May 31</b>	<b>Principal Payment May 1</b>	<b>Interest Rates</b>	<b>Total Interest</b>	<b>Total Debt Service</b>	<b>Amount Outstanding</b>
ST	2025	\$0 <sup>1</sup>	0.000%	\$0.00	\$0.00	\$12,000,000
ST	2026	770,000 <sup>1</sup>	0.000%	0.00	770,000.00	11,230,000
LT	2027	374,333	0.000%	0.00	374,333.00	10,855,667
LT	2028	374,333	0.000%	0.00	374,333.00	10,481,334
LT	2029	374,333	0.000%	0.00	374,333.00	10,107,001
LT	2030	374,343	0.000%	0.00	374,343.00	9,732,658
LT	2031	374,333	0.000%	0.00	374,333.00	9,358,325
LT	2032	374,333	0.000%	0.00	374,333.00	8,983,992
LT	2033	374,333	0.000%	0.00	374,333.00	8,609,659
LT	2034	374,333	0.000%	0.00	374,333.00	8,235,326
LT	2035	374,333	0.000%	0.00	374,333.00	7,860,993
LT	2036	374,333	0.000%	0.00	374,333.00	7,486,660
LT	2037	374,333	0.000%	0.00	374,333.00	7,112,327
LT	2038	374,333	0.000%	0.00	374,333.00	6,737,994
LT	2039	374,333	0.000%	0.00	374,333.00	6,363,661
LT	2040	374,333	0.000%	0.00	374,333.00	5,989,328
LT	2041	374,333	0.000%	0.00	374,333.00	5,614,995
LT	2042	374,333	0.000%	0.00	374,333.00	5,240,662
LT	2043	374,333	0.000%	0.00	374,333.00	4,866,329
LT	2044	374,333	0.000%	0.00	374,333.00	4,491,996
LT	2045	374,333	0.000%	0.00	374,333.00	4,117,663
LT	2046	374,333	0.000%	0.00	374,333.00	3,743,330
LT	2047	374,333	0.000%	0.00	374,333.00	3,368,997
LT	2048	374,333	0.000%	0.00	374,333.00	2,994,664
LT	2049	374,333	0.000%	0.00	374,333.00	2,620,331
LT	2050	374,333	0.000%	0.00	374,333.00	2,245,998
LT	2051	374,333	0.000%	0.00	374,333.00	1,871,665
LT	2052	374,333	0.000%	0.00	374,333.00	1,497,332
LT	2053	374,333	0.000%	0.00	374,333.00	1,122,999
LT	2054	374,333	0.000%	0.00	374,333.00	748,666
LT	2055	374,333	0.000%	0.00	374,333.00	374,333
LT	2056	374,333	0.000%	0.00	374,333.00	0
<b>TOTALS</b>		<b>\$12,000,000</b>		<b>\$0.00</b>	<b>\$12,000,000.00</b>	

Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	2	0.56
<b>Sub-Total:</b>				<b>\$0.56</b>
Dog Licensing	Exempt Dogs	A2544	1	0.00
Dog Licensing	Female, Spayed	A2544	49	539.00
Dog Licensing	Female, Unspayed	A2544	22	418.00
Dog Licensing	Male, Neutered	A2544	65	715.00
Dog Licensing	Male, Unneutered	A2544	29	551.00
<b>Sub-Total:</b>				<b>\$2,223.00</b>
LANDFILL FEES	Transfer Stickers	A2130	1330	2,660.00
<b>Sub-Total:</b>				<b>\$2,660.00</b>
Marriage Lic.	MARRIAGE LICENSE FEE	A1255	1	17.50
<b>Sub-Total:</b>				<b>\$17.50</b>
MISC. FEES	Copies Of Documents	A1255	1	30.45
MISC. FEES	Marriage Transcripts	A1255	6	60.00
<b>Sub-Total:</b>				<b>\$90.45</b>
MISC. FEES	Sale Of Scrap	A2650	1	171.00
<b>Sub-Total:</b>				<b>\$171.00</b>
PLAN & ZONE	Amended Site Plan	B2110	1	100.00
PLAN & ZONE	Site Plan Review	B2115	1	100.00
PLAN & ZONE	Zoning Permits	B2110	3	75.00
Plan & Zoning	Zoning Permit - Commercial	B2110	2	200.00
<b>Sub-Total:</b>				<b>\$475.00</b>
<b>Total Local Shares Remitted:</b>				<b>\$5,637.51</b>
Amount paid to:	NYS Ag. & Markets for spay/neuter program			267.00
Amount paid to:	NYS Environmental Conservation			9.44
Amount paid to:	State Health Dept. For Marriage Licenses			22.50
<b>Total State, County &amp; Local Revenues:</b>		<b>\$5,936.45</b>	<b>Total Non-Local Revenues:</b>	
			<b>\$298.94</b>	

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Melissa L. Verne, Town Clerk, Town of LeRay during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

  
Supervisor

4/3/24  
Date

Melissa L. Verne  
Town Clerk

4-3-24  
Date

**LeRay Town Court  
8650 LeRay Street  
Evans Mills, New York 13637-3**

Hon. Larry G. Covell Town Justice  
Hon. Cheryl A. Clark Town Justice

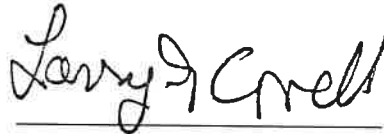
Phone: (315) 629-0228  
Fax: (315) 629-0433

April 1, 2024

TO: Office of the State Comptroller  
Justice Court Fund  
P.O. Box 22110  
Albany, NY 12201-2110

This is to certify that my report for the month of March 2024 transmitted electronically to you on Friday, April 5, 2024 is a true and complete record of the activity of the court for the period. A check for the amount of \$11594.00 was sent to the Chief Fiscal Officer of The Town of LeRay on Friday, April 5, 2024.

Justice:



Justice Name: Larry G. Covell

Justice ID #: 2234590485C

Date: April 1, 2024

**LeRay Town Court**  
**8650 LeRay Street**  
**Evans Mills, New York 13637-3**


Hon. Larry G. Covell Town Justice  
Hon. Cheryl A. Clark Town Justice

Phone: (315) 629-0228  
Fax: (315) 629-0433

April 1, 2024

TO: Office of the State Comptroller  
Justice Court Fund  
P.O. Box 22110  
Albany, NY 12201-2110

This is to certify that my report for the month of March 2024 transmitted electronically to you on Friday, April 5, 2024 is a true and complete record of the activity of the court for the period. A check for the amount of \$10641.00 was sent to the Chief Fiscal Officer of The Town of LeRay on Friday, April 5, 2024.

Justice: 

Justice Name: Cheryl A. Clark

Justice ID #: 2234590517C

Date: April 1, 2024

# Town of LeRay

## Town Board Minutes

March 14, 2024

### Call to Order

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Proceedings of a Town Board Meeting held at the LeRay Town Municipal Office on March 14, 2024. The meeting was called to order at 4:00 p.m. by Supervisor Carpenter who led the room in the Pledge of Allegiance.

### Open Regular Meeting

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Leland J. Carpenter – Supervisor, Melissa L. Verne – Town Clerk, Nathan Toutant – Clerk to Supervisor, Board Members in attendance: Samuel Biondolillo, John Eisenhauer, Michael Gracey, Merle Otis, James Burrows – Town Attorney, Jessica Jenack – Community Development Coordinator – Absent, Lee Shimel – Zoning Enforcement Officer – Absent, William Vargulick – Town Assessor – Absent, Dan Young – Highway Superintendent, Mike Altieri – Town Engineer, Kenny Kizzer – DANC  
Additionally present: Bob Ingerson, Deana LaSage Debbie Biondolillo, Wayne Robbe, Pat O'Donnell

### Approval of Minutes

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The minutes from the meeting held on February 8, & 22 2024, were reviewed by the Board Members. A motion to approve the minutes as drafted was made by Councilman Biondolillo and seconded by Councilman Otis.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

### Comments from the Floor

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Mrs. Hunt from Sally Ploof Memorial Library sent a letter to LeRay asking if the Town would donate money towards children's books for the Eclipse event they are having on April 8, 2024.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to provide \$900 of bedtax money that will be used to purchase 100 books for Sally Ploof Library and 50 book for Evans Mills Library.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

### Public Hearing @ 4:10 to consider a Local Law to extend the Term of Office for the Town Supervisor from two (2) years to four (4) years.

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Supervisor Carpenter opened the Public Hearing at 4:10 p.m. Supervisor Carpenter asked Clerk Verne to read the Public Hearing Notice as published in the Watertown Daily Times on March 4, 2024. Supervisor Carpenter then asked if there were any comments from the floor. No comments were made.



A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to close the Public Hearing.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

Mr. Burrows explained the terms of office for elected officials and how towns are allowed to extend the terms from two (2) to four (4) years, the Town Clerk and Highway Superintendent are already four (4) year terms. If the Town Board determines they would like to go forward the Resolution will be adopted

## RESOLUTION # 6 of 2024

### EXTENDING THE TERM OF OFFICE OF THE SUPERVISOR FROM TWO (2) YEARS TO FOUR (4) YEARS

**WHEREAS**, the term of office for Town Board members, other than the office of the Supervisor, is four (4) years; and

**WHEREAS**, the Town Board for the Town of LeRay, NY is interested in enacting a Local Law to Extend the Term of office of the Town Supervisor from two (2) years to four (4) years consistent with other elected offices; and

**WHEREAS**, the Town Board believes that an extended term of office for the Supervisor would bring greater continuity to that elected position and thus believes that the extended term is in the public's best interest.

**WHEREAS**, pursuant to Municipal Home Rule Law §§10 and 23 the Town Board may by Local Law subject to mandatory referendum extend the term of office for the Supervisor from a two (2) year term to a four (4) year term; and

**WHEREAS**, the four (4) year term of Office for the Town Supervisor would commence effective January 1, 2026 following the next general election in November 2025, and to those elected to that office thereafter, if the Local Law is approved at the General Election in November 2024; and

**WHEREAS**, the Town Board has reviewed the matter and is determined to proceed as follows.

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of LeRay that:

1. The foregoing recitations are incorporated herein and make a part hereof as if set forth hereafter.
2. The Town Board hereby adopts this Resolution to extend the elective term of office of the Town Supervisor from two (2) years to four (4) years effective January 1, 2026, if approved by the voters, and this change shall be considered to be in the best interests of the Town of LeRay.
3. The Local Law is subject to mandatory referendum and shall be considered by qualified electors at the upcoming General Election in November 2024.
4. The Supervisor of the Town of LeRay, the Town Trustees, and the Town Clerk, their respective

agents, and employees are authorized to sign all documents and take all steps necessary to bring full force and effect to this Resolution.

5. This Legislation shall be filed with the New York State Department of State; and with the Town Clerk of the Town of LeRay, if approved by the electors.

The foregoing Resolution and Order was offered by Board Member, Eisenhauer, and seconded by Board Member, Biondolillo, and upon roll call vote of the Board was duly adopted as follows

Supervisor Leland J. Carpenter	Abstain <input checked="" type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Michael J. Gracey	Abstain <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Samuel J. Biondolillo	Abstain <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
John W. Eisenhauer	Abstain <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Merle C. Otis	Abstain <input type="checkbox"/>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Dated: March 14, 2024

\_\_\_\_\_  
Melissa L. Verne, Town Clerk

#### **Report from DANC – Kenny Kizzer**

Mr. Kizzer gave his monthly report.

#### **Report from Highway Superintendent – Dan Young**

Mr. Young reported on Highway work done. Eight (8) highway employees have done MS4 training. The new plow truck is in Watertown.

A motion was made by Councilman Biondolillo and seconded by Supervisor Carpenter to deem the 1989 Mack, Vin # 1M2P198C9KW005112 as surplus property to be auctioned.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

#### **Report from Community Development Coordinator – Jessica Jenack**

Debbie Biondolillo reported for planning. The 7-11 property that used to be old Stewart's will provide a rear entrance to proceed with their project. Mrs. Biondolillo has asked for Mr. Burrows help in an application for a zone change that has gotten a little complicated, they will connect outside of meeting for advice.

#### **Report from the Town Engineer – Mike Altieri**

Mr. Altieri reported that the surveys and field work is done for the Consolidated District Extension, with rerouting the main. Mr. Burrows has drawn up all the Easements for property owners.

A motion was made by Councilman Gracey and Councilman Biondolillo to authorize Mr. Altieri to seek income quotes in the Sewer District 1 area for the Board's consideration.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

Mr. Ingerson went over a new list of options with the Town Board for potential improvements to the Old Highway Garage, a discussion followed.

A motion was made by Councilman Eisenhauer and seconded by Supervisor Carpenter to authorize BCA to prepare final drawings for a base bid package for the first five (5) items on the presented list, being Masonry Restoration, Fire Alarm, Ventilation Air, Building Exhaust, and Insulate wall between cold bays and maintenance bay along with the building heat with two (2) new LP powered furnaces and the four (4) 1000-gallon propane tanks as a base bid, all other items except for the new fuel oil tank and heat pump as alternate items.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

Mr. Altieri stated that BCA will put a bid schedule together for the next meeting.

Supervisor Carpenter expressed his wishes to have the Town Offices and Highway Garage be closed at Noon on Monday, April 8, 2024, to give all employees time to get home and off the roads before the Eclipse.

#### Report from the Town Clerk – Melissa L. Verne

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	Cash Balances as of February 29, 2024	Current Month Abstract 3
<b>General Fund</b>	\$ 4,205,429.19	\$ 208,183.01
<b>Highway Fund-Town wide</b>	\$ 1,154,438.79	\$ 67,325.17
<b>Highway Fund-Town Outside</b>	\$ 452,725.86	\$ 17,128.00
<b>Expendable Trust</b>	\$ 790.90	\$ 0.00
<b>Consolidated Water District</b>	\$ 2,296,793.97	\$ 39,636.15
<b>Water District # 3</b>	\$ 18,562.99	\$ 10,332.00
<b>Sewer District # 1</b>	\$ 712,122.57	\$ 6,637.48
<b>Sewer District # 2</b>	\$ 28,142.04	\$ 2,350.12
<b>Sewer District # 3</b>	\$ 24,893.40	\$ 12,217.42
<b>Sewer District # 4</b>	\$ 353,950.27	\$ 759.66
<b>Capital Project # 3 (Sewer Dist. 1)</b>	\$ 134,894.87	\$ 0.00
<b>Capital Project # 4W (Water 2 Imp)</b>	\$ 0.00	\$ 0.00
<b>Capital Project # 5 (Highway Fac.)</b>	\$ 0.00	\$ 0.00
<b>Trust &amp; Agency</b>	\$ 59,570.00	\$ 6,631.93

A motion was made by Councilman Gracey and seconded by Councilman Biondolillo that Abstract #3 vouchers 320-504 in the amount of \$371,200.94 be paid from the above accounts.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

**Report from Nathan Toutant, Clerk to the Supervisor**

---

A motion was made by Councilman Biondolillo and seconded by Councilman Otis to have Public Sector HR add a policy pertaining to political advertisements in the workplace, to section 1106 to the Town of LeRay handbook.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

The Town Board reviewed Snow & Ice Shared Services Inter Municipal Agreement and also reviewed Hyde-Stone service contracts for Town Office and New Highway Garage.

A Spectrum line will be replaced at no cost to the Town from the pole to the basement due to issues with our phone lines.

The Board reviewed the Clerk to the Supervisor job description and discussed changes.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to go into Executive Session at 6:09 p.m. to discuss an ongoing investigation and the work history of a particular person.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

A motion was made by Councilman Gracey and seconded by Supervisor Carpenter to go back into regular session at 6:34 p.m.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

A motion was made by Councilman Biondolillo and seconded by Councilman Gracey to adjourn this meeting, at 6:35 p.m. to March 28, 2024 at 4:00 p.m.

The vote went as follows:

Ayes: 5      Nays: 0

The motion passed.

Respectfully given:

*Melissa L. Verne*

Melissa L. Verne, LeRay Town Clerk

# Town of LeRay

## Town Board Minutes

March 28, 2024

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### Call to Order

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Proceedings of a Town Board Meeting held at the LeRay Town Municipal on March 28, 2024. This meeting was a continuation of an adjourned meeting of a regular meeting on February 14, 2024. The meeting was called to order at 4:02 p.m. by Supervisor Carpenter who led the room in the Pledge of Allegiance.

### Open Meeting

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Leland J. Carpenter – Supervisor, Melissa L. Verne – Town Clerk, and Nathan Toutant – Clerk to Supervisor. Board Members in attendance: John Eisenhauer, Sam Biondolillo, and Merle Otis. Additionally present: Lee Shimmel – Zoning Enforcement Officer and William Vargulick – Assessor

A motion was made by Councilman Eisenhauer and seconded by Councilman Biondolillo to accept the Hungerford & Terry, Inc Greensand Plus pilot lab quote for Carey Well.

The vote went as follows:

Ayes: 4      Nays: 0

The motion passed.

A motion was made by Councilman Eisenhauer and seconded by Councilman Otis to approve the position of duties for Clerk to the Supervisor as amended.

The vote went as follows:

Ayes: 4      Nays: 0

The motion passed.

A motion was made by Councilman Biondolillo and seconded by Councilman Eisenhauer to accept the approved salaries for Elected Officials and Town Employees as set forth, effective January 1, 2024, as amended below, the highlighted positions:

Supervisor \$ 33,540

Town Clerk/Tax Collector \$ 52,000

Deputy Town Clerk \$ 45,000

Highway Superintendent \$ 84,500

Town Board (4) \$ 9,800

**Director of Finance \$ 93,500**

**Admin Clerk to Supervisor \$ 45,000**

Assessor \$ 49,120

Justice (2) @ \$ 21,000

Confidential Clerk to Justice #1 \$ 45,000

Confidential Clerk to Justice #2 \$ 45,000

Court Attendant \$ 25.00/ hr.

Zoning Officer \$ 23,000

Zoning Board Chair \$ 4,800

Board Members (4) \$ 2,400

Planning Board Chairman \$ 15,000

Planning Board Member (6) \$ 3,690

Clerk to Planning/ Zoning Board \$ 39,190

Community Devel. Coordinator \$ 45,000

BAR (3) \$ 400

The vote went as follows:

Ayes: 4      Nays: 0

The motion passed.

Mr. Shimel spoke on three (3) properties being unsafe buildings. Mr. Shimel will speak with the Town Attorney, Jim Burrows to draft resolutions and public hearing notice for each property, for meeting in April.

Mr. Vargulick discussed with the board ReEnergy property wanting to have their assessment lowered.

Clerk Verne reported that Councilman John Eisenhauer had submitted his letter of resignation from the Town Board as of April 1<sup>st</sup>, 2024.

A motion was made by Councilman Eisenhauer and seconded by Councilman Otis to adjourn the meeting at 5:26 p.m.

The vote went as follows:

Ayes: 4      Nays: 0

The motion passed.

Respectfully given:

*Melissa L. Verne*

Melissa L. Verne, LeRay Town Clerk

# Town of LeRay

## Planning Board – Work Session

March 7, 2024

### Call to Order

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The March 7, 2024 Work Session portion of the LeRay Planning Board meeting took place in the Town of LeRay Conference Room. The meeting was called to order by Chairperson Biondolillo at 6:02 PM.

### Roll Call

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In attendance: Deborah Biondolillo – Chairperson, Kerry Young – Member, Brian Jefferds – Member, William Albrecht – Member, Pat Collette – Member, Jessica Jenack via telephone – Community Development Coordinator, Morgan Melancon – Secretary to Planning and Zoning, and Leland Carpenter – Town Supervisor, were in attendance. Additionally, Samuel Biondolillo was in attendance. Member Clarke Oatman and Member Tom Moran were absent. Lee Shimel – Zoning Enforcement Officer was absent.

### Acceptance of Work Session Minutes

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The February 1, 2024 Work Session minutes were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young and seconded by Member Jefferds. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

The February 22, 2024 Special Meeting Work Session minutes were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Collette and seconded by Member Young. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

**Public Hearing @ 6:30 PM for a 5-Lot Major Subdivision Application for Frank and Marchelle Gerlack, located at 24845 Sanford Corners Road, tax parcel #74.12-1-47.1.**

Chairperson Biondolillo stated that the cone of influence was added to the Plat Map as requested. The Development Authority of the North Country (DANC) had been plowing the driveway for access to the well site. Mr. Gracey provided wording on the Plat Map titled "Private Right of Way Note", potentially eliminating the necessity for a Road Maintenance Agreement for some projects. Chairperson Biondolillo said the Board could approve the subdivision on the condition that the agreement was completed, should the note's wording be deemed unsatisfactory. After discussion, Mrs. Jenack and Chairperson Biondolillo concurred that the proposed wording would suffice in place of a Road Maintenance Agreement.

**Sketch Review of a 4-Lot Minor Subdivision Application for Michael Wendt, located at 32466/32478 County Route 18, 45.00-3-7.3.**

Chairperson Biondolillo said the Highway Superintendent, Daniel Young, had inspected the property earlier that day. He reported that only a portion of the looped driveway fell within the property lines, and the remainder was on an adjacent property owned by Champion Enterprises of Connecticut, LLC. It was noted that, according to the Town of LeRay's code, a shared or common driveway serving more than three (3) residential lots was defined as a "road" and must be built to Town's specifications.

Chairperson Biondolillo stated that at the regular meeting to follow, she would ask Mr. Gracey if they intended to obtain a driveway permit for Lot 1D. The well on Lot 1A currently serves both lots 1A and 1B. The owner had been informed that, should the parcels be used as separate residences, a new well would need to be drilled for any of the newly created lots to comply with regulations.

Chairperson Biondolillo stated that Mr. Gracey had detailed the width of the proposed crushed stone Right of Way on the Plat Map. Board member Albrecht commented that the gravel portion appeared narrow.

**Sketch Review of a Special Use Permit and Site Plan Application for Nickles Hauling, LLC, for Motor Vehicle and Equipment Sales, Repair and Rentals, Heavy located at 26080 Eagle Ridge Road, tax parcel #64.20-1-22.21.**

Chairperson Biondolillo announced that the applicant had chosen to withdraw their project from the agenda. Therefore, the project would not be sent to the Jefferson County Planning Board. Additionally, it was noted that the fees for their other Townhouse project remained unpaid. To address this, a reminder letter would be sent to the applicants regarding their outstanding payment.

**Report from Planning Board Chairperson**

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Chairperson Biondolillo discussed Mr. Lundy's proposed LeRay Commons project. Mr. Lasell had provided a revised map depicting proposed changes made to the project which included the removal of a section of the proposed access road connecting to Herrick Drive and the adjustment of some proposed lots. Mr. Lasell inquired via email whether the changes would address the Board's previous traffic concerns regarding Herrick Drive and Johnson Road.

Mrs. Jenack was contacted from Ryan Morrison at the NYSDOT to inquire how the Planning Board deemed the right in right out onto US Route 11 as well as alignment of the driveway at Freedom Plaza.

The Board discussed leaving the right in right out on US Route 11 near the former VanDusen property. It was decided that this ingress and egress would remain. A letter would be sent to Ryan Morrison at NYS DOT to update this matter.



Chairperson Biondolillo discussed the status of Adam Kokinda's Zone Change Application. After considerable discussion, Mr. Kokinda was possibly interested in pursuing a Use Variance for solar instead.

Next, Chairperson Biondolillo said she had received a Site Plan Modification Application from Jeff Bates, who had recently purchased the former Converse Self Storage located at 26085 NYS Route 283. A meeting with Patsy Storino was scheduled for Monday, March 11, 2024 to discuss the project details, which included adding an additional storage building and proposed new signage.

Chairperson Biondolillo informed the Board that Matt Carpenter was scheduled to present on Battery Storage Energy Systems (BESS) at the April Planning Board meeting. She said she had reviewed the Draft New York State Inter Agency Fire Safety Working Group Fire Code Recommendations concerning BESS and had some concerns. She proposed that the Board could discuss the topic in detail in the forthcoming months once all members were available to participate. Furthermore, she noted that the issue, particularly the spacing requirements for BESS, had been previously discussed at the Comprehensive Planning Committee meeting.

### **Adjournment**

---

A motion to adjourn the work session at 6:22 PM was made by Member Young and seconded by Member Albrecht. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

# Town of LeRay

## Planning Board - Minutes

March 7, 2024

### Call to Ord

On March 7, 2024, the LeRay Planning Board held their regular monthly meeting in the Conference Room of the Town of LeRay Municipal Building. The meeting was called to order at 6:30 PM by Chairperson Biondolillo who led the room in the Pledge of Allegiance.

### Open Regular Meeting

In attendance: Deborah Biondolillo – Chairperson, Kerry Young – Member, Brian Jefferds – Member, William Albrecht – Member, Pat Collette – Member, Jessica Jenack via telephone – Community Development Coordinator, Morgan Melancon – Secretary to Planning and Zoning, and Leland Carpenter – Town Supervisor, were in attendance. Additionally, Samuel Biondolillo, Stephen Gracey, Jason Ring, and Philip Ashwood were in attendance. Member Clarke Oatman and Member Tom Moran were absent. Lee Shimel – Zoning Enforcement Officer was absent.

### Acceptance of Minutes

The minutes from the regular meeting on January 4, 2024, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Young and seconded by Member Jefferds. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

The minutes from the regular meeting on February 1, 2024, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Albrecht and seconded by Member Collette. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

The minutes from the special meeting on February 22, 2024, were reviewed by the Board members. A motion to accept the minutes as drafted was made by Member Collette and seconded by Member Young. The vote went as follows:

Member Moran:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Member Young:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Jefferds:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Albrecht:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Collette:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent
Member Oatman:	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input checked="" type="checkbox"/> Absent
Chairperson Biondolillo:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Abstain <input type="checkbox"/> Absent

The motion passed.

### **Correspondence and Communication**

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Chairperson Biondolillo asked if there was anyone who was not on the agenda that wished to address the Board. There was no response. Chairperson Biondolillo asked Ms. Melancon if there was any correspondence to which she replied there was none.

**Public Hearing @ 6:30 PM for a 5-Lot Major Subdivision Application for Frank and Marchelle Gerlack** – proposal is to subdivide an existing 18.52-acre parcel into 5 lots: Lot 1 = 0.52 acres, Lot 2 = 0.49 acres, Lot 3 = 0.49 acres, Lot 4 = 0.78 acres, and the remaining Lot 5 = 16.24 acres, located at 24845 Sanford Corners Road, tax parcel #74.12-1-47.1.

Chairperson Biondolillo asked the Board to review the Revised Preliminary Subdivision Plat for Frank Gerlack. Mr. Gracey was in attendance as the representative and gave a brief presentation. Chairperson Biondolillo informed Mr. Gracey that the “Private Right of Way Note” would suffice in place of a Road Maintenance Agreement for this project.

Chairperson Biondolillo opened the Public Hearing at 6:34 PM and Ms. Melancon read the hearing notice as published in the Watertown Daily Times on February 21, 2024. Chairperson Biondolillo asked if there were any comments from the audience. Mr. Ashwood voiced his dissatisfaction with the placement of Lot 1's proposed access road near his property. He expressed an interest in acquiring a portion of the property to preserve his privacy. In a conversation with Mr. Gracey, Mr. Ashwood explored the possibility of relocating the access road should he proceed with the purchase. Mr. Gracey affirmed that the adjustment would still allow sufficient road frontage for the access road. Chairperson Biondolillo advised Mr. Ashwood that, should Mr. Gerlack sell the land to him, he would need to apply for a Lot Line Adjustment with the Board following the property transaction.

Mr. Ring raised concerns regarding the potential increase in driveways along the road, citing an existing traffic issue. He highlighted the insufficient parking at the Post Office, which he felt added to traffic congestion, the absence of speed regulation, and the frequent use of his driveway as a turnaround point. Upon inquiring about whom to address his concerns, Mr. Ring was advised to contact the New York State Police Department or the Jefferson County Sheriff's Department.

A motion was made by Member Young and seconded by Member Jefferds to close the Public Hearing at 6:49 PM. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
 Member Young:  Yes  No  Abstain  Absent  
 Member Jefferds:  Yes  No  Abstain  Absent  
 Member Albrecht:  Yes  No  Abstain  Absent  
 Member Collette:  Yes  No  Abstain  Absent  
 Member Oatman:  Yes  No  Abstain  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. A motion was made by Member Young and seconded by Member Collette to review and discuss the Revised Preliminary Subdivision Plat Map. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
 Member Young:  Yes  No  Abstain  Absent  
 Member Jefferds:  Yes  No  Abstain  Absent  
 Member Albrecht:  Yes  No  Abstain  Absent  
 Member Collette:  Yes  No  Abstain  Absent  
 Member Oatman:  Yes  No  Abstain  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. Chairperson Biondolillo asked if the Board had any other comments or questions regarding the Minor Subdivision, to which the Board had none.

The Plat Map met all the requirements with no additional changes, therefore a motion was made by Member Jefferds and seconded by Member Albrecht to approve the Revised Preliminary Subdivision Plat Map. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
 Member Young:  Yes  No  Abstain  Absent  
 Member Jefferds:  Yes  No  Abstain  Absent  
 Member Albrecht:  Yes  No  Abstain  Absent  
 Member Collette:  Yes  No  Abstain  Absent  
 Member Oatman:  Yes  No  Abstain  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. A motion was made by Member Young and seconded by Member Collette to review the Final Subdivision Plat Map. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
 Member Young:  Yes  No  Abstain  Absent  
 Member Jefferds:  Yes  No  Abstain  Absent  
 Member Albrecht:  Yes  No  Abstain  Absent  
 Member Collette:  Yes  No  Abstain  Absent  
 Member Oatman:  Yes  No  Abstain  Absent  
 Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. Since there were no changes to the Final Subdivision Plat Map, a motion was made by Member Young and seconded by Member Jefferds to approve the Final Subdivision Plat Map. The vote went as follows:

Member Moran:            Yes  No  Abstain  Absent  
Member Young:            Yes  No  Abstain  Absent  
Member Jefferds:        Yes  No  Abstain  Absent  
Member Albrecht:        Yes  No  Abstain  Absent  
Member Collette:        Yes  No  Abstain  Absent  
Member Oatman:        Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. Chairperson Biondolillo informed Mr. Gracey that he would receive a letter in the mail outlining the Boards decision.

**Sketch Review of a 4-Lot Minor Subdivision Application for Michael Wendt** – proposal is to subdivide an existing 10.86-acre parcel into 4 lots: Lot 1A = 1.47 acres, Lot 1B = 1.14 acres, Lot 1C = 4.71 acres, and the remaining Lot 4 = 3.54 acres, located at 32466/32478 County Route 18, tax parcel #45.00-3-7.3.

Chairperson Biondolillo asked the Board to review the Sketch Subdivision Plat for Michael Wendt. Mr. Gracey was in attendance as the representative and gave a brief presentation.

Lots 1A and 1B shared a well, and the owner is aware that if the parcels were utilized as individual residences, they would have to drill a new well for Lot 1B. Mr. Gracey stated that Lot 1D would most likely have driveway access off County Route 18, and Lots 1C may have the same setup. Mrs. Jenack said they would need to obtain a Driveway Permit from Jefferson County if proposing access off County Route 18. Chairperson Biondolillo concluded that the issue would be further investigated before the next meeting.

Chairperson Biondolillo informed Mr. Gracey that the Authorization Letter needed to be signed by the property owners. She asked the Board if they had any other comments or questions. The Board had none.

The Board determined that the Plat Map met all the requirements for Preliminary Review. Chairperson Biondolillo had prepared Part 2 of the Short Environmental Assessment Form for the Boards review. A motion was made by Member Jefferds and seconded by Member Collette to act as Lead Agency to conduct the environmental review for the Unlisted Action. The vote went as follows:

Member Moran:            Yes  No  Abstain  Absent  
Member Young:            Yes  No  Abstain  Absent  
Member Jefferds:        Yes  No  Abstain  Absent  
Member Albrecht:        Yes  No  Abstain  Absent  
Member Collette:        Yes  No  Abstain  Absent  
Member Oatman:        Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. Based on a review of the information and analysis, the Board determined that the proposed action would not result in any significant adverse environmental impacts. A motion to declare

a Negative Declaration was made by Member Young and seconded by Member Albrecht. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
Member Young:  Yes  No  Abstain  Absent  
Member Jefferds:  Yes  No  Abstain  Absent  
Member Albrecht:  Yes  No  Abstain  Absent  
Member Collette:  Yes  No  Abstain  Absent  
Member Oatman:  Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. The Board determined that the Preliminary Subdivision Application was complete. A motion was made by Member Collette and seconded by Member Young to deem the Preliminary Subdivision Application as complete. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
Member Young:  Yes  No  Abstain  Absent  
Member Jefferds:  Yes  No  Abstain  Absent  
Member Albrecht:  Yes  No  Abstain  Absent  
Member Collette:  Yes  No  Abstain  Absent  
Member Oatman:  Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. A motion to set a Public Hearing for the April 4, 2024 meeting at 6:30 PM was made by Member Young and seconded by Member Jefferds. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
Member Young:  Yes  No  Abstain  Absent  
Member Jefferds:  Yes  No  Abstain  Absent  
Member Albrecht:  Yes  No  Abstain  Absent  
Member Collette:  Yes  No  Abstain  Absent  
Member Oatman:  Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed. Chairperson Biondolillo informed Mr. Gracey that he would need to provide three (3) copies of the Revised Subdivision Plat Map no later than March 22, 2024, at noon. Additionally, she informed him that he would receive a letter in the mail outlining the upcoming Public Hearing details.

## **Adjournment**

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A motion was made by Member Young and seconded by Member Moran to adjourn the meeting at 7:55 PM. The vote went as follows:

Member Moran:  Yes  No  Abstain  Absent  
Member Young:  Yes  No  Abstain  Absent  
Member Jefferds:  Yes  No  Abstain  Absent  
Member Collette:  Yes  No  Abstain  Absent

Member Albrecht:  Yes  No  Abstain  Absent  
Member Oatman:  Yes  No  Abstain  Absent  
Chairperson Biondolillo:  Yes  No  Abstain  Absent

The motion passed.





**March 25, 2024**

Kim from Karate school – told her the permitted signs for her business, did paper work for Lisa Hunt Rt. 11 – issued an Order to Remedy Violation notice

**March 28, 2024**

TB mtg., return call to LeRoy Burnman, call from KM Telecommuting – wants to add equipment to Indian River Water Tower – he needs to contact BCA for structural analysis. Email from Caydee Blankenship – wants to merger parcels on Co. Rt. 46

**March 29, 2024**

Call to Tim Barber to clarify new equipment on the water tower on Indian River Dr., notified Jim Burrows to proceed with resolution and to set public hearing for the three unsafe buildings

# Town of LeRay

MUNICIPAL OFFICES

8650 LeRay St  
Evans Mills, NY 13637-3191

(315) 629-4052

Fax (315) 629-4393

[www.townofleray.org](http://www.townofleray.org)



## Supervisor

Leland Carpenter

## Town Clerk

Melissa L. Verne

## Highway

## Superintendent

Daniel Young

## Assessor

William Vargulick

## Community Development Coordinator

Jessica Jenack, AICP

## Zoning Enforcement Officer

Lee Shimel

## Planning Board Chairperson

Deborah Biondolillo

## Zoning Board Chairperson

Jan Oatman

April 1, 2024

Pizza Hut  
27216 Patriot Pl  
Evans Mills, N.Y. 13637

Re: Flag Banners

Dear Manager,

Recently the store has placed a flag banner on the edge of your property. The Town of LeRay Zoning Code does not allow flag banners, (Section 158-96P). At your earliest convenience please remove the flag banner. I have included the section of the code that refers to this violation.

If you have any further questions feel free to contact this office at [zoning@townofleray.org](mailto:zoning@townofleray.org) or 315-629-4052.

Sincerely,

Lee Shimel ZEO

Cc: Supervisor & Town Board

## Chapter 158. Zoning

### Article XIII. Signs

#### § 158-96. Prohibitions.

The following signs are prohibited:

- A. Signs containing strobe lights;
- B. Abandoned sign structures;
- C. Signs placed on or painted on a motor vehicle or trailer parked in an area not approved on a site plan, with the primary purpose of providing signage not otherwise allowed by this chapter. Prohibited is any sign displayed on a parked trailer or truck or other vehicle where the primary purpose of the vehicle is to advertise a product, service business, or other activity. This regulation shall permit the use of business logos, identification or advertising on vehicles primarily and actively used for business purposes and/or personal transportation;
- D. Signs that imitate or resemble official traffic lights, signs or signals or signs that interfere with the effectiveness of any official traffic light, sign or signal;
- E. Mechanically moving signs: an environmentally activated sign or other display with actual mechanical motion powered by natural, manual, mechanical, electrical or other means, including but not limited to pennant strings, streamers, spinners, propellers, and search lights;
- F. Flashing signs: See § 158-91, Definitions. For the purposes of this chapter, a sign that has a change rate or dwell time of four seconds or longer does not fit within the prohibition noted herein;
- G. Inflatable signs and other permanent objects: Signs and other objects which may or may not be inflated, including, but not limited to, balloons. Balloons may be permitted in temporary noncommercial situations; for instance, they are permitted for special occasions at a residence;
- H. Nonpermanent posters and handbills affixed to structures, trees or other natural vegetation, rocks or poles.
- I. Except as expressly stated in § 158-94, any fabric sign not attached to a rigid frame on four sides;
- J. Roof signs: roof signs, except for those permitted by special exception in commercial zones. See § 158-100C(3);

- K. Simulated traffic signs and obstructions: any sign which may be confused with, or obstruct the view of, any authorized traffic sign or signal, obstruct the sight-distance triangle at any road intersection, or extend into the public right-of-way;
- L. A-frame/wheeled signs: Any portable A-frame or similar portable sign is prohibited except as described under § 158-102. Temporary signs, below;
- M. Signs adversely affecting safety: signs which prevent free ingress or egress from any door, window, or fire escape or that prevent free access from one part of a roof to any other part. No sign other than a safety sign shall be attached to a standpipe or fire escape;
- N. Sign emissions: No sign which emits smoke, visible vapors, particles, sound or odor shall be permitted. Open flames used to attract public attention to a place of business or to an advertising sign shall not be permitted;
- O. Mirrors: No mirror device shall be used as part of a sign.
- P. Tear drop or feather flag banners.
- Q. Hand held signs. Any temporary sign used by a person or persons to advertise or display goods or services of a particular business. This includes, but is not limited to, placards, directional signs, sandwich-board-type signs when worn, costumes, or similar clothing used to advertise or promote a particular service or business.  
[Added 8-11-2016 by L.L. No. 4-2016]

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**Supervisor**  
Leland Carpenter

**Town Clerk**  
Melissa L. Verne

**Highway  
Superintendent**  
Daniel Young

**Assessor**  
William Vargulick

**Community  
Development  
Coordinator**  
Jessica Jenack, AICP

**Zoning  
Enforcement  
Officer**  
Lee Shimel

**Planning Board  
Chairperson**  
Deborah Biondolillo

**Zoning Board  
Chairperson**  
Jan Oatman

April 1, 2024

Joshua K. Lewis  
P.O. Box 327  
Pulaski, N.Y, 13142

Re: New construction at 30100 NYS Rt. 37

Dear Mr. Lewis,

Currently there is some new construction at the address above. The Town of LeRay Zoning Code requires a zoning permit for any new construction. The application is online for your convenience.

If you have any further questions feel free to contact this office at [zoning@townofleray.org](mailto:zoning@townofleray.org) or 315-629-4052.

Sincerely,

Lee Shimel ZEO

Cc: Supervisor & Town Board

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Supervisor  
Ronald Taylor

## ZONING AND CODE ENFORCEMENT Order to Remedy Violation

Town Clerk  
Melissa Verne

Location: 24281 US Rt. 11

Highway  
Superintendent  
Daniel Young

TO: Lisa Hunt  
10019 Cobbsville Rd.  
Adams, N.Y. 13605

Assessor  
William Vargulick

Please TAKE NOTICE; there exists a violation of:

- The State Fire Prevention Code
- The State Building Construction Code
- Zoning Ordinances
- Other Applicable Laws, Ordinances or Regulations

Community  
Development  
Coordinator  
Jessica Jenack, AIC

at premises hereinafter described in that:  
Junk, clutter, debris on the property within sight on the neighbors and the public highways.

Zoning  
Enforcement  
Officer  
Lee Shimel

in violation of:  
Town of LeRay Code:  
Section 102-7C Unlawful nuisances  
Section 102-8A & 8B  
Sent Regular mail and Certified Return Receipt Requested

Planning Board  
Chairperson  
Deborah Biondolil

Zoning Board  
Chairperson  
Jan Oatman

**YOU ARE THEREFORE DIRECTED AND ORDERED** to comply with the law and to remedy the conditions above mentioned forthwith on or before the 10th day of April 2024

Failure to remedy the conditions previously mentioned and to comply with the applicable provisions of law by the above date may constitute an offense punishable by fine, not exceeding \$350.00 per week, or imprisonment, not to exceed six months, or both. Each weeks continued violation shall constitute a separate additional violation.

  
Signed

3-25-24  
Dated

# Town of LeRay

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Fax (315) 629-4393

www.townofleray.org



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Officer**  
Lee Shimel

**Planning Board  
Chairperson**  
Deborah Biondolillo

**Zoning Board  
Chairperson**  
Jan Oatman

March 25, 2024

Lisa Hunt  
10017 Cobbville Rd.  
Adams, N.Y. 13605

Sent Regular mail & Certified Return Receipt  
Requested

Re: 24281 US Rt. !1, Tax Map No. 75.00-1-79

Dear Ms. Hunt,

I would like to thank you for removing the trailers from your property on Rt. 11, which I considered phase one. Now on to phase two, which should be the last phase.


Phase two will require more work, however there are companies that do clean up and recycling of this type of junk and debris. It will be necessary to put a time on this phase. During this clean-up there is junk on top of the hill that will require removing.

If you were to google junk recycling centers, you will find a list of potential businesses that could be used to clean up the property.

Your compliance with these items requires immediate attention. I am issuing an Order to Remedy Violation to be completed by April 10, 2024.

You may call this office at 315-629-4052 with any questions or email me at [zoning@townofleray.org](mailto:zoning@townofleray.org). Office hours are Monday 8-12, Thursday 1-4, and Friday 8-10

Sincerely,

  
Lee Shimel ZEO

Cc: Supervisor & Town Board

## Lee Shimel (Town of Leray Zoning)

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**From:** Thomas Boxberger <teboxberger@yahoo.com>  
**Sent:** Friday, January 5, 2024 10:24 AM  
**To:** Lee Shimel (Town of Leray Zoning)  
**Subject:** 24281 US Route 11 Investigation

At your request, on January 6, 2023 I visited the above property, owner of record Lisa Hunt. Below find a summary of my observations and findings.

The property contained an older mobile home which appeared to be vacant. The unit was not level and no skirting was installed. Behind this older home was a camper, with footprints in the snow (and tire tracks in the driveway) indicating the camper was occupied though no one appeared to be present at the time. I did not observe any sign of the unit being currently registered. The entrance to the unit was in poor condition and debris was piled/stored/deposited all around the camper.

There were two additional structures on the property, including a garage and shed, both in poor state of repair with debris around the structures.

The property was extremely cluttered with old equipment and furniture, cabinets, and assorted trash and what I would consider junk.

There were three unregistered vehicles on the property, including two cars in the front and one truck to the rear of the property.

I could not determine the status of water/sewer at the property.

I would consider this property to be unsafe for occupancy and would recommend the property be inspected by building codes officials to make that final determination. I would also suspect that with the abandoned vehicles and assorted debris/etc local codes might be violated.

If I can be of any further assistance, please call me at 315-767-8488.



## Chapter 102. Junkyards; Junk Storage

### Article II. Junk Storage

#### § 102-7. Unlawful nuisances.

The following conditions are declared to be and deemed to be unlawful nuisances and the maintenance of such nuisances is hereby prohibited in the Town of LeRay. It shall be unlawful for any owner of real property within the Town whether individual, firm or corporation lawfully occupying any real property within the Town to permit:

- A. Junk furniture as defined in § **102-6** above.
- B. Junk appliances to accumulate thereon as defined in § **102-6** above.
- C. Junk mobile homes, junk motor vehicles, or junk farm machinery and implements to accumulate thereon as defined in § **102-6** above.

#### § 102-8. Prohibited acts.

- A. The deposit, accumulation, or storage of junk, regardless of quantity, is hereby prohibited within sight of persons traveling the public highways or within sight of neighboring property. The provisions of this article shall also be applicable to conditions existing at the time of enactment.
- B. It shall be unlawful for any person to use a bus, uninhabited mobile home, truck, truck trailer, horse trailer, semi-trailer, tank truck, or similar vehicles or units for the storage of junk on any premises. Exceptions shall be made for the temporary use of such vehicles or units for construction purposes for periods of less than 90 days, or when actively used in connection with active farming or agricultural operations.





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