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Murray Town Board Meeting Minutes

July 8, 2014

Present: Supervisor John Morriss, Councilmen Ed Bower and Lloyd Christ, Highway and Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Assessor Lynn Wood, Code Enforcement Officer Ron Vendetti, Attorney Jeff Martin, Alex Salamaca, Hunter Salamaca, Tony Manno, Joe Sidonio, Stan Kemp, Tony Gianni

Absent: Councilwoman Kathy Case and Councilman Paul Hendel

Motion by Bower, Seconded by Christ to accept the minutes of the June Board meeting as submitted Motion Carried

Alex Salamaca spoke regarding the customer parking letter received by businesses in the Town. Putting a no parking sign up on the side of the road could be a hazard especially if the sign is in the right-of-way. Mr. Salamaca doesn't know if these parking guidelines were in place when their family business opened 30 years ago. He thinks this should be something put in place for new businesses but for the old businesses it will cause turmoil and he'd like to prevent any issues from happening.

Assessor Lynn Wood handed out information regarding the income limits by township for senior exemptions. The County would like all towns to be on the same page with this. Lynn also gave the board a list of the Town of Murray enhanced STAR incomes. The board will need to decide if they want it to remain as is, or to increase it. Lynn and Louise spent a day on the road last week following up on improvements and there are still some properties they need to see. As there are two board members absent, the Senior STAR incomes limits will be added to the August meeting agenda.

Code Enforcement Officer Ron Vendetti informed the board of the letter he sent to all businesses regarding parking issues. There have been a couple inquiries about building houses. He has had requests about building pole barns for tree farms. Ron asked the board for clarification on what is allowed before he starts getting more requests.

New Business

The closing out of capital project water district 13 and 14 was tabled until next month.

Motion by Christ, Seconded by Bower approving the following account transfers: Motion Carried

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GENERAL FUND - TOWNWIDE

<i>Transfer From:</i>	A5010.1A	Hwy. Supt. Clerk Services	\$5,000.00
	A1990.4	Contingency	<u>\$2,356.00</u>
		TOTAL:	<u>\$7,356.00</u>

<i>Transfer To:</i>	A1320.4	Ind. Auditing Contractual	\$2,000.00
	A6989.4	Economic Development	\$ 250.00
	A7180.4	Recreation (Cable)	\$ 45.00
	A9050.8	Unemployment Ins.	<u>\$ 61.00</u>
		TOTAL:	<u>\$7,356.00</u>

WATER #10

<i>Transfer From:</i>	SW8320.4	Source of Supply Contr.	\$ 50.00
		TOTAL:	<u>\$ 50.00</u>

<i>Transfer To:</i>	SW8310.4	Admin. Contractual	\$ 50.00
		TOTAL:	<u>\$ 50.00</u>

Discussion regarding Town of Murray parking ticket procedure. When the Sheriff's Dept. issues parking tickets, the offenders have to appear in court. If the Town issued their own parking tickets, the offenders would have the option of simply mailing in their fine. Another benefit of issuing our own is that the Town would retain the fines collected from these tickets. Jeff can look into this and discuss it next month. Ed Morgan stated that no parking signs are expensive and can exhaust our sign budget very quickly. If this is something the Board elects to do, the fine amounts need to be sufficient to cover the cost of the sign, maintenance and enforcement.

Motion by Christ, Seconded by Bower adopting the following resolution:

OPPOSING EXPANSION OF FEDERAL CONTROL UNDER THE CLEAN WATER ACT

WHEREAS, the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers (Corps) have released a 371 proposed rulemaking defining the Waters of the U.S. under the Clean Water Act; and

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WHEREAS, both agencies are seeking a rule change to give the federal government more authority by expanding the definition of "navigable waters" in the Clean Water Act; and

WHEREAS, the rule change proposed by the EPA and the Corps would subject almost all physical areas with a connection to downstream navigable waters, including features such as ditches, natural or man-made ponds, and flood plains, to the jurisdiction of the Clean Water Act; and

WHEREAS, the proposed rule change, if adopted, will cause significant economic harm to local farmers, stall the development of businesses, take control of land use for sustainable food production out of our local providers' hands, and negatively impact County-owned and maintained infrastructure such as roadside ditches and flood-controlled channels; and

WHEREAS, the cost to our farms, municipalities and taxpayers will be enormous; and

WHEREAS, the New York Farm Bureau opposes the proposed rule change; and

WHEREAS, it is impractical for the federal government to regulate every ditch, pond and rain puddle that may have some tenuous connection or "significant nexus", miles away, to a body of water currently defined as "navigable"; now, therefore be it

RESOLVED, that the Town of Murray hereby strongly opposes the EPA and Corps proposed rulemaking that changes the Clean Water Act, as proposed; and be it

FURTHER RESOLVED, that the Clerk of the Town of Murray is hereby directed to forward a certified copy of this resolution to Senator Schumer, Senator Gillibrand, Congressman Collins, the Environmental Protection Agency, the U.S. Army Corps of Engineers, the National Association of Counties, State Senator Maziarz, State Assemblyman Hawley, State Assemblywoman Corwin, the New York State Association of Counties, the Western New York Inter-County Association, and all others deemed appropriate.

Ayes: 3 Morriss, Bower, Christ
Nays: 0
Absent: 2 Hendel, Case

Resolution was thereupon adopted.

Motion by Bower, Seconded by Christ, adopting the following resolution:

RESOLUTION CALLING UPON THE NEW YORK STATE PUBLIC SERVICE COMMISSION TO SET A CONDITION OF MERGER FOR COMCAST'S PROPOSED BUYOUT OF TIME WARNER CREATING VOTING SEAT ON THEIR

BOARD OF DIRECTORS REPRESENTING A CUSTOMER VOICE AND ANOTHER REPRESENTING A VOICE OF GOVERNMENT

WHEREAS, Orleans County represents a rural region that is economically focused on agri-business and recreation where high-speed Internet service is essential for commercial economic growth, for our education systems, and the overall well-being of our citizens; and

WHEREAS, today's agricultural enterprises leverage cutting edge biotechnology, renewable energy, and hi-tech heavy equipment which depend on the Internet; and

WHEREAS, the Internet Innovation Alliance has published the following statistics relative to broadband access and jobs:

- More than 62% of American workers, including our farmers, rely on the Internet to do their jobs
- Among U.S. workers, 14% telecommute to work from home at least one day a week
- Jobs that depend upon broadband availability are projected to increase 25% by 2018
- Job seekers had a 27% increase in success by using social networks to generate referrals
- A \$10 billion investment in broadband would produce nearly 500,000 new jobs
- Local economic growth and secondary investment enabled by broadband expansion is 10 times the initial investment; and

WHEREAS, there are significant areas of the County without access to high speed broadband services because of geographic isolation, topographic conditions, and low population density; and

WHEREAS, broadband providers have not found it economically feasible to provide broadband services to many of the remote areas of the County; and

WHEREAS, it has been our observation small businesses tend to be willing to listen to the voice of the community and be agile with regard to delivering profitable services, however larger businesses frequently seem to distant in listening to the voices in a small community when they have a monopoly as is the case with broadband services in our region; and

WHEREAS, Orleans County, in unison with Niagara County, presented recommendations for the proposed merger at a Public Hearing held on Monday, June 16th at North Campus of SUNY Buffalo; and

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WHEREAS, the most significant point in the presentation was to recommend a condition of the proposed merger be the creation of a voting seat on the Board of Directors representing a customer voice (the source of their income) and another representing a voice of government (source of grant funds that you presently leverage to expand your private network); and

WHEREAS, this legislation believes these two seats are foundational to ensure our voices are not only heard, but are part of any go-forward decisions for broadband expansion in Western New York; now; therefore be it

RESOLVED, that the New York State Public Service Commission examine the long-term benefits and opportunities of the aforementioned Board of Director seats, and set requirements to assure public interests are well represented alongside the private interests of this or any future telecommunication providers; and be it

FURTHER RESOLVED, that certified copies of this resolution be forwarded to Governor Andrew M. Cuomo, the Commissioner of New York State Public Service Commission, State Senator George Maziarz, Assembly Member Stephen Hawley, Assembly Member Jane Corwin, NYSAC, all Towns and Villages in Orleans County, and all others deemed necessary and proper.

Ayes	3	Morriss, Bower, Christ
Nays	0	
Absent	2	Case, Hendel

Resolution was thereupon adopted.

Motion by Christ, Seconded by Bower approving Water District No. 10, Ext. No. 1 pay application #10 to Pilon Construction in the amount of \$97,584.66 and approving change order #4 Motion Carried

Attorney Jeff Martin updated all on the Hulberton Rd. cemetery easement. The property owners are receptive to the easement with the stipulation that the Town mow the strip of their lawn about 30 or 40 ft. wide going back to the cemetery. Jeff mailed the owners the easement on June 25th. If he doesn't hear anything back within a couple of weeks, he will follow up with them.

A signed copy of the agreement has been mailed to the redemption center.

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The sale date for the borrowing of the \$150,000 for road repairs is July 9th and the closing date is July 22nd. We will not know the definite interest rate until July 9th.

Brief discussion regarding the close-out of Water District 10, Ext. 1. Pre-closing is scheduled for August 11th to make sure we have everything in order. Close-out with Rural Development will be August 15th.

Motion by Christ, Seconded by Bower adopting the following resolution:

WHEREAS, the construction of the improvements for Town of Murray Water District No. 10, Extension No. 1 have been completed and approved by the New York State Department of Health; and

WHEREAS, a number of residents have connected to the water distribution system, and it is fully operational.

NOW, THEREFORE, IT IS

RESOLVED, that Edward Morgan, duly certified by the New York State Department of Health Bureau of Water Systems Protection as a Public Water Systems Operator, as evidenced by Certificate No. NY0032521 expiring 04/30/2015, is hereby designated by the Town of Murray to operate the water distribution system for Town of Murray Water District No. 10, Extension No. 1 in his capacity as Water Superintendent for the Town of Murray.

Ayes	3	Morriss, Bower, Christ
Nays	0	
Absent	2	Case, Hendel

The resolution was thereupon declared adopted.

Motion by Bower, Seconded by Christ adopting the following resolution:

RESOLVED, that upon recommendation of Chatfield Engineers, P.C., engineers for the Town of Murray, the Town hereby accepts the Water District No. 10, Extension No. 1 water distribution system and all appurtenances and improvements associated therewith as constructed by Pilon Construction in the amount of \$97,584.66, subject to Rural Development approval.

Ayes	3	Morriss, Bower, Christ
Nays	0	

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Absent 2 Case, Hendel

The resolution was thereupon declared adopted.

Jeff updated all on the Combs property. George Berg will be purchasing the property. Once the transaction is completed George will take care of what needs to be done on the property.

Town Clerk Cindy Oliver reported June receipts totaled \$1,414.40 with \$1,020.64 going into the general fund.

Cindy will be on vacation the week of July 21st. Val will covering office hours for that week.

Highway and Water Superintendent Ed Morgan reported that the paving is half done. Skillington Rd. and Norway Rd. went very well. Both roads came in under budget so we will be able to do a bit extra.

Brief discussion on the replacement of the overhead doors. Ed received a quote of \$18,700 to replace all six doors. The quote is good for thirty days. Funds will come out of the general building account. This needs to be done by winter if that is what the board decides to do.

Our generator was inspected on June 30th. There were no issues.

Ed signed a contract with Hometowne Energy for 9,500 gallons of propane at \$1.99/gallon. This price is good until June 2015.

Ed purchased a 2003 one-ton dump truck for \$19,500.

Ed will meet with Paul Chatfield next week to discuss the next water district.

Ed can have a 'wish list' completed for the surplus grant money by tomorrow. He may include automatic hydrant flushers for the dead ends we have in the district. Jeff will check with Dawn Kuras to see if there is a cut-off date and if it will affect the closing.

Public Comments

Alex Salamaca spoke about the Town creating their own parking tickets and said he would be interested in a Constable position.

Brief discussion on the duties of an appointed Town Constable. The Town can add specific duties to the job description. Jeff will research this and memo the Board.

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Motion by Bower, Seconded by Christ approving the supervisor's financial report and approving the following bills for payment: Motion Carried

General Fund	Claims 192-226	\$120,338.96
Highway Fund	Claims 146-159	\$166,555.29
Water District No. 1	Claims 15-17	\$473.44
Water District No. 2	Claims 26-29	\$5,774.81
Water District No. 3	Claims 23-27	\$4,760.26
Water District No. 4	Claims 11-12	\$54.28
Water District No. 5	Claims 11-12	\$49.91
Water District No. 6	Claims 36-40	\$1,669.00
Water District No. 7	Claims 13-15	\$188.89
Water District No. 8	Claims 13-14	\$63.62
Water District No. 9	Claims 11-12	\$52.19
Water District No. 10	Claims 23-26	\$98.52
Water District No. 11	Claims 39-43	\$875.52
Water District No. 12	Claims 11-12	\$52.19
Water District No. 13	Claims 11-12	\$54.27
Water District No. 14	Claims 6-7	\$49.90
Water District No. 15	Claims 15-16	\$58.54
Water District No. 20	NONE	\$0.00

Motion by Bower, Seconded by Christ approving the purchase of 6 overhead doors not to exceed \$19,000. Motion Carried

Motion by Christ, Seconded by Bower to adjourn the meeting at 8:13 p.m.
Motion Carried

So adjourned.

Respectfully Submitted,
