

TOWN OF MURRAY BOARD MEETING

March 11, 2014

Present: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Ed Bower, Lloyd Christ and Paul Hendel, Town Clerk Cindy Oliver, Highway & Water Superintendent Ed Morgan, Attorney Jeff Martin, Code Enforcement Officer Ron Vendetti, Assessor Lynn Wood, Robin Spychalski, Rick Spychalski, Nancy Spychalski, Legislator Ken DeRoller, Alex Salamaca, Joe Sidonio, Legislator John DeFilipps, Tony Gianni and Alan Bieber

Pledge to the flag.

Motion by Case, Seconded by Christ approving the meeting minutes of February 11th as submitted Motion Carried

Legislator DeRoller informed us of the issues he is working toward, most importantly making our canal, parkway and tourism a priority in the county.

Privilege of the Floor

Robin Spychalski of 15908 Ridge Road gave copies of a letter to the Board. She spoke of the proposed re-zoning of Ridge Road and/or the expansion of the commercial district on Ridge Road. She is against this for a number of reasons but mainly because of the past problems they've encountered living across from the old Wishing Well property.

Assessor: Taxable status day was March 1st. The office is getting ready for the tentative roll and preparing for May 1st. This Friday Lynn and Louise will be meeting with an appraiser to tour the Holley Cold Storage building in the Industrial Park and also their building on Route 31. They will review their records after they are finished touring the buildings.

Code Enforcement Officer: Ron sent letters to all auto repair shops informing them that they must be in compliance with the Town's code. He had three owners call him about the letter, none of whom are in violation. All auto repair shops have been given 30 days to correct any violations. When the 30 days are up Ron will do inspections.

The man who inquired about a wood-working shop is still looking for a place for his business.

Old Business:

Discussion regarding the proposed light district on Route 31. A little more than 50% responded that they are not interested. Ed suggested proceeding as we did on Lynch Road and put up two or three street lights with wider spacing where the existing poles are. This wouldn't be a separate light district but it would be beneficial to drivers. Ed can send letters to the residents explaining this is being done for the safety of drivers and the residents on that stretch of road. Motion by Bower, Seconded by Case authorizing Ed Morgan to proceed with the request to National Grid for three street lights on Route 31 heading east. Motion Carried

Water Superintendent discussed the cost of the new residential water meters. Motion by Christ, Seconded by Bower to charge residents the cost of a replacement water meter if one breaks due to negligence. Motion Carried

Ed will change the water rules and regulations to include this.

New Business:

Supervisor Morriss informed all that based on the Town's *Right to Farm Local Law*, the Town needs an Agricultural Advisory Committee. Individuals from the Zoning Board, Town Board Planning Board, Code Enforcement and a full-time farmer need to be in place on this committee.

Motion by Hendel, Seconded by Case appointing the following individuals to the Town of Murray Agricultural Advisory Committee: Lloyd Christ, Dorothy Morgan, Elaine Berg, Ron Vendetti and Anthony Piedimonte
Motion Carried

Discussion regarding the \$150 monthly meter pit charge to the Village of Holley for the Industrial Park. The charge is part of the contract and has been billed and paid since the time of installation. The water line was put in by the Town at no charge to the village and we replaced that meter in 2012. The meter itself cost \$4,012.74 not including plumbing supplies of \$1,000. The Town Board is not inclined to make any changes in the contract. Village Attorney John Sansone should be informed of what the costs are, that the Town of Murray has just made a \$5,000 investment and that the Town Board is not inclined to make any changes in the contract.

Motion by Christ, Seconded by Case authorizing Highway Superintendent Ed Morgan to sign the New York State Dept. of Transportation Agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement for the 2015-2016 contract year. Motion Carried

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

WHEREAS, the Town of Murray, New York is a picturesque and diverse town in Orleans County with a population of approximately 6007, and

WHEREAS, the Town of Murray is a vibrant community with an outstanding quality of life, beautiful scenery, rich history and strong sense of community, and

WHEREAS, the Town of Murray also enjoys a reputation for excellent services, including a first rate educational system, and

WHEREAS, maintaining the high quality of life expected by the residents of the Town of Murray is the of the utmost importance to this board, and

WHEREAS, Batavia Downs Gaming and Western Region Off Track Betting Corporation are located in the City of Batavia in Genesee County, and

WHEREAS, Orleans County is one of 15 counties in Western New York that own Western Region Off Track Betting Corporation, and

WHEREAS, as one of the municipal "stockholders" in WROTB, Orleans County has a *pro-rata* financial interest in the \$69 million of net equity re-invested in WROTB's 30-plus corporately-owned branch facilities and the track and casino at Batavia Downs, and

WHEREAS, since its inception, WROTB has generated over \$215 million in operating and surcharge revenues to the taxpayers of those participating municipalities including Orleans County, and

WHEREAS, the Seneca Nation has initiated a process to locate a full Las Vegas-style gaming casino in the region, and

WHEREAS, an additional casino in Western New York will place in great jeopardy the sustainability of Batavia Downs Gaming, thus negatively impacting Orleans county's financial interest and investment in WROTB, and

WHEREAS, the Orleans County Legislature recently passed legislation opposed to the expansion of casino gaming as such an expansion would likely lead to the reduction or elimination of WROTB's annual payment to Orleans County, and this board does support the county's position on this issue, therefore be it

RESOLVED, that the Murray Town Council does hereby join the Orleans County Legislature in opposing the location of additional casino located in the region owned and operated by the Seneca Nation, and be it further

RESOLVED, that copies of this resolution be sent to each member of the New York State Legislature representing the Town of Murray, the Governor of New York and members of the Orleans County Federal Delegation, and be it further

RESOLVED, that members of the New York State Legislature representing the Town of Murray, the Governor of New York and members of the Orleans County Federal Delegation be urged to join this Board in

opposition of any new proposed casino to be owned and operated by the Seneca Nation in Western New York.

Upon being put to a vote, the vote was as follows:

Ayes	5	Bower, Case, Christ, Hendel, Morriss
Nays	0	
Absent	0	

The resolution was thereupon adopted.

Motion by Christ, Seconded by Bower that the following resolution be adopted:

WHEREAS, there is a growing concern of the continued limited access of canal bridges in the Orleans County as a result of several bridges being closed over the Erie Canal or having had the weight restrictions significantly lowered; and

WHEREAS, with these limitations, the Town of Murray is extremely concerned with the ability of emergency servicing vehicles getting across the Erie Canal to an emergency under a very critical time frame to save lives; and

WHEREAS, the Town of Murray has seen serious restrictions in the movement of farm equipment and implements over the canal, having no other options but to drive through our busy villages or forced to drive long distances to access their land impacting our agricultural industry; and

WHEREAS, the Town of Murray has also seen the closed bridges, or weight reductions, significantly hinder commercial vehicles within our Town, causing them to travel extensive miles to pass over the Erie Canal on a bridge that allows their weight limit; therefore be it

RESOLVED, that the Murray Town Board calls upon our elected officials to help address our growing concern of limited access of canal bridges in the Town of Murray, even neighboring counties and towns across New York State by the New York State Canal Corporation and the New York State Department of Transportation hindering vital transportation through and about our town; and be it

FURTHER RESOLVED, that the Clerk of the Town forward this resolution to Governor Cuomo, Senator George Maziarz, Assemblyman Steve Hawley, New York State Department of Transportation, New York State Canal Corporation, New York State Department of Homeland Security and Emergency Services, New York Farm Bureau, Orleans County Farm Bureau, Orleans County Fire Departments and all others deemed necessary and proper.

Upon being put to a vote, the vote was as follows:

Ayes	5	Bower, Case, Christ, Hendel, Morriss
------	---	--------------------------------------

Nays	0
Absent	0

The resolution was thereupon adopted

Attorney:

Discussion regarding the Combs' property on Creek Road. Jeff last reported two individuals were interested in buying the property and one of them agreed to demolish the house and dispose of it. After researching the property, Jeff found liens against the property which will more than likely prevent the property sale from happening. Options for demolition and disposal of the house were discussed. The Town has the ability at any time to do what needs to be done to demolish and remove it. Highway Superintendent Morgan will do some checking on the cost of demolition and removal and will report back to the Board next month.

Town Clerk:

Receipts for February totaled \$931 with \$814.04 going into the general fund.

Cindy handed out copies of the Building Use Form she put together and asked if there were any changes or additions the Board wished to make. Councilman Hendel suggested adding a line for the applicant to state that either they are a resident of or their affiliation with the Town of Murray.

Highway and Water Superintendent:

Genesee Valley Transportation Company are in the process of applying for state and federal grants to re-do the crossings for Lynch and Hulberton Roads as they did on Fancher Road. They would like to state in the application that the Town will help them with in-kind services as we have in the past. Ed and the Board are in agreement to help.

Pilon Construction pressure tested the Hurd Road and the balance of Telegraph Road water mains today and all was good.

The Town of Albion passed a resolution at their February meeting to waive their pass-through charge.

Ed reported a catastrophic failure in one of the truck's engines. The original cost to replace it is \$35,000. Ed has been negotiating to get a new engine installed for around \$25,000. This will hurt the budget but we have no other choice as we need to keep the truck for another six years.

Public Comments: Alex Salamaca informed all that he is also against any rezoning of Ridge Road. He has read through the Town's Comprehensive Plan

and thinks it steers the community in a good direction. Mr. Salamaca believes that any decision to change the zoning that is already in place should be clearly thought out. He stated that Ridge Road should stay as it is, especially since it is now part of the Niagara Wine Trail.

Alan Bieber of 15937 Ridge Road informed the Board that he is in agreement with Robin Spsychalski and stated he is concerned about what will happen in the future if Ridge Road is re-zoned.

Motion by Hendel, Seconded by Christ approving the supervisor's financial report and that the following bills be paid: Motion Carried

General Fund	Claims 57-93	\$39,494.66
Highway Fund	Claims 39-55	\$33,467.67
Water District No. 1	Claims 4-7	\$377.98
Water District No. 2	Claims 5-10	\$5,761.88
Water District No. 3	Claims 5-9	\$5,230.33
Water District No. 4	Claims 3-5	\$67.27
Water District No. 5	Claims 3-5	\$50.33
Water District No. 6	Claims 6-13	\$4,665.48
Water District No. 7	Claims 4-6	\$118.10
Water District No. 8	Claims 3-6	\$222.63
Water District No. 9	Claims 3-5	\$58.81
Water District No. 10	Claims 8-12	\$119.13
Water District No. 11	Claims 8-15	\$493.29
Water District No. 12	Claims 3-5	\$58.81
Water District No. 13	Claims 4-6	\$67.28
Water District No. 14	Claims 2-3	\$34.14
Water District No. 15	Claims 4-7	\$431.72
Water District No. 20	Claims 3-4	\$41.61

Motion by Bower, Seconded by Christ to adjourn the meeting.
Motion Carried

Meeting adjourned at 8:40 p.m.

Respectfully Submitted,
