

Town of Murray Town Board Meeting

November 10, 2015

Present: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Ed Bower, Lloyd Christ and Paul Hendel, Town Clerk Cindy Oliver, Highway and Water Superintendent Ed Morgan, Attorney Jeff Martin, Code Enforcement Officer Ron Vendetti, Assessor Lynn Wood, Neil Valentine, Kevin Diehl, Keith Diehl, Joe Sidonio, Dan Mawn, Wendy Kenney

Pledge to the flag.

Motion by Case, Seconded by Bower approving the minutes of the October 13th board meeting and the minutes of the October 27th public hearing as submitted. After being put to a vote, the vote was as follows:

Ayes	4	Morriss, Bower, Case, Christ
Nays	0	
Abstains	1	Hendel
Absent	0	

Motion Carried**Privilege of the Floor**

Daniel Mawn, President of the Murray Holley Historical Society was present to discuss the amount the Town of Murray gives to the Historical Society for help paying their expenses such as electricity, water and insurance. Dan was under the impression that by him signing the contract, the Town would pay the previous years' amounts also. Supervisor Morriss told him that since the contract was just signed, a \$500 voucher is in the bills to be approved tonight. Dan said they are looking for enough funds to cover at least cover 1/3 of their utility bills, which works out to be around \$667. Supervisor Morriss told him that the \$500 stated in the contract is what was budgeted for 2016. If the amount of funds the Town Board decides to give to the Society isn't a flat fee, it will have to be an amount that can be determined at budget time. Dan said he will come to the August 2016 meeting, during budget preparation to discuss the amount he will be requesting.

Code Enforcement Officer Ron Vendetti discussed the ongoing parking issues. There are vehicles parking in front of A&M Auto despite the fact that they have signs there. The owner of the antique barn on Ridge Road said if he reopens in the spring, he will do something to provide customer parking. There have been several complaints and Ron believes action should be taken but it is ultimately the Board's decision. Ron spoke to a representative from Senator Ort's office regarding Mr. Taylor's barn maintenance issue on Hurd

Road. The Senator's office said Ron is justified in his interpretation of the law. Ron will be informing Mr. Taylor of this. Attorney Jeff Martin stated that Mr. Taylor was previously communicating directly with him regarding the barn issue, but since Mr. Taylor has representation, ethically, Jeff cannot have any contact with him, only with his attorney. Ron informed all that red signs have been placed on all vacant houses which indicates that no one is occupying the house. An X on these signs indicates there is some sort of structural problem with the house. These are standard across the state.

Assessor Lynn Wood informed all that they continue to work on the update, and are reviewing each property. They went out and looked at a couple new structures yesterday and followed up on the condition of some old structures. Jeff thanked Lynn and Louise for their help identifying additional parcels for the zoning change and the proposed water district extension.

Old Business

Board members were given finalized copies of the 2016 Town of Murray budget. Motion by Bower, Seconded by Hendel adopting the Town of Murray Budget for the year 2016 Motion Carried

Discussion regarding the issue with the Precision Packaging fire pump. Although the Town of Murray is not at fault, in good faith we need to think about Precision Packaging. Motion by Christ, Seconded by Hendel authorizing the Town of Murray to pay Precision Packaging one third of the amount of the cost of repair of their fire pump upon receipt of the bill, not to exceed \$3,000, with funds coming from water districts 6 and 11, with the understanding that the Town of Murray claims no responsibility for this and that this does not constitute any future payments Motion Carried

Motion by Christ, Seconded by Hendel to adopt the following resolution:

RESOLVED, that in accordance with the New York State Environmental Quality Review (SEQR) regulations, the Town Board of the Town of Murray hereby announces its intent to serve as lead agency to conduct an environmental review of a project which involves amending the Town of Murray Zoning Map to eliminate the existing Rural Residential (RR) Zoning District along Fancher Road, Padelford Road and NYS Route 31 between Lynch Road and the NYS Erie Canal and rezoning that property to Residential/Agricultural (RA); and it is

FURTHER RESOLVED, that the Town Board has determined that the proposed action is a "Type I Action" as defined under SEQR; and it is

FURTHER RESOLVED, that the Town Board, in its capacity of lead agency, has caused an environmental assessment of the significance of and potential environmental impact of the above mentioned action to be prepared. The Town Board hereby accepts the environmental assessment of the proposed project prepared by Thomas J. Martin dated September 9, 2015. The Town Board further declares that, based on the Environmental Assessment Form (EAF) which has been prepared, the project will result in no significant adverse environmental impacts. A Negative Declaration under SEQR is therefore issued for the project; and it is

FURTHER RESOLVED, that the Town attend to filing copies of the EAF and/or Negative Declaration with all appropriate agencies and parties as required by SEQRA.

Upon being put to a vote, the resolution was unanimously adopted.

Motion by Christ, Seconded by Hendel to adopt the following resolution:

RESOLVED, that the Town Board hereby approves the amendment of the Town of Murray Zoning Map to eliminate the existing Rural Residential (RR) Zoning District along Fancher Road, Padelford Road and NYS Route 31 between Lynch Road and the NYS Erie Canal and the rezoning of that property to Residential/Agricultural (RA); and it is further

RESOLVED, that Heath & Martin, Attorneys for the Town of Murray, notify the Orleans County Department of Planning and Development of the final action taken by the Town Board in this matter; and it is further

RESOLVED, that the Town of Murray zoning map be immediately amended to reflect this change of zoning.

Upon being put to a vote, the resolution was unanimously adopted.

New Business

Notice was sent to Holley Ambulance ending our contract with them on December 4, 2015. The Town needs to have an ambulance service ready to take over at that time. On November 24th at 6:30 p.m. we will hold a public hearing on the tentative roll for the water districts, giving people the proposed figure that will be on their tax bills in January. Immediately following, we can hold a work meeting in order to get the new ambulance contract with Monroe Ambulance in place. Jeff will place notice in the paper.

Motion by Bower, Seconded by Case to adopt the following resolution:

BE IT RESOLVED, that the Town Board of the Town of Murray hereby authorizes Highway Superintendent Edward Morgan to sign the New York State Department of Transportation Agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement for the 2017-2018 contract year.

Upon being put to a vote, the resolution was unanimously adopted.

Motion by Hendel, Seconded by Christ authorizing Supervisor John Morriss to sign the Joint Youth Recreation Agreement Motion Carried

Discussion regarding interviewing a potential candidate for a seat on the Planning Board as a replacement for Charlie Felice. Councilwoman Case stated that until we have a letter of resignation from Charlie, there is no point in interviewing. Planning Board member Joe Sidonio stated that when there is an absence from a meeting, the alternate is not called. Chad Fabry is the alternate to the Planning Board but is never notified of the meetings.

Discussion regarding the 'Save our Shores' resolution. The Town of Yates asked us to join other municipalities passing resolutions concerning Article 10 of the Public Service Law and also against wind energy. Councilman Hendel stated that Article 10 is not about wind energy and/or windmills and he will not be in favor of joining this citizen's group. All are in agreement that the Town of Murray will not be backing something that they are trying to do in another town.

Motion by Hendel, Seconded by Case approving and authorizing the following transfers:

GENERAL FUND - TOWNWIDE

<i>Due to:</i>	GFOV	2014 Interest	\$	10.98
	T&A	\$127.19 for R. Vendetti - \$37.00 - Svc Charge	\$	164.19
	HFTW	NYS Snow & Ice from Sept 2015	\$	24,190.61
		TOTAL:	\$	<u>24,365.78</u>

HIGHWAY FUND - TOWNWIDE

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<i>Due to:</i>	HFOV	2014 Interest	\$	33.43
			TOTAL:	<u>\$ 33.43</u>

WATER DISTRICT #11

<i>Due to:</i>	GFTW	From February 2015	\$	0.01
			TOTAL:	<u>\$ 0.01</u>

WATER DISTRICT #15 CAPITAL

<i>Due to:</i>	GFTW	FROM 2014 AUD	\$	23,243.17
	SW#15	FROM 2014 AUD	\$	14,306.57
			TOTAL:	<u>\$ 37,549.74</u>

TRUST & AGENCY

<i>Due to:</i>	GFTW	Health Insurance from 2014	\$	351.78
	GFTW	Ron Vendetti Garnishment Overpayment	\$	812.50
<i>Due to:</i>	HFTW	Health Insurance from 2014	\$	895.84
<i>Due to:</i>	HFOV	Health Insurance from 2014	\$	895.84
			TOTAL:	<u>\$ 2,955.96</u>

Motion Carried

Attorney Jeff Martin spoke briefly regarding our joint water district with the Town of Gaines. The district was originally set up with 20 properties in Gaines and 10 properties in Murray, so Murray would contribute 1/3 annually. The Town has set the funds aside each year as we've never received any billing from the Town of Gaines, although Supervisor Morriss requested a bill on more than one occasion. Since the establishment of the district, properties in Gaines district have decreased by two and Murray properties have increased by one. Because of this, Gaines is under the impression that our contribution should be greater than one third. Jeff informed all that it is clear from the agreement that the debt service will always be 1/3 coming from Murray and 2/3 from Gaines. Keep in mind that the users in each district are the ones who actually pay for this as it is collected with their Town and County taxes. Supervisor Morriss informed all

that the Town has the funds owed to Gaines and it is earmarked as a separate line item but until we receive a bill from them, no payments can be made.

Town Clerk Cindy Oliver reported receipts for the month of October totaling \$1,614.00 with \$667.18 going into the general fund.

Highway & Water Superintendent With the state reducing the weight limit on the Bennetts Corners Road Bridge, the Town cannot maintain it during the winter months as we have no truck that could safely cross it. Ed is suggesting that the Town notify the Canal Dept. and the regional DOT stating that, due to the weight restriction, the Town cannot safely maintain it. Ed stated that it shouldn't be the Town's decision to close a bridge that is the property of the State.

Ed updated all on the details of the Padelford Road waterline installation. Hickory Ridge will be doing the work with 6-inch main and 2 hydrants. It will be turned over to the Town once it has been approved by the Health Department.

Public Comments

Joe Sidonio spoke of his concerns regarding the parking issue on State right of ways. Hurd Orchards has made an effort to rectify the parking issues. He has pictures of his neighbor's home with cars parked all along the road. He thinks it is discriminatory that the Code Enforcement Officer only has an issue with Hurd Orchards parking. The Highway Department also parks on the side of the road and unloads lawnmowers and this is allowed. He stated that it is legally permissible to park on the pavement on the outside of the white line, unless the state says you cannot. Councilman Paul Hendel asked Jeff if he could get a copy of the state law that allows parking along the side of the road outside the white lines.

Motion by Christ, Seconded by Bower approving the Supervisor's Financial Report and that the following bills be paid: Motion Carried

General Fund	Claims 299-335	\$9,008.75
Highway Fund	Claims 227-233	\$16,439.52
Water District No. 1	Claim 25	\$380.40
Water District No. 2	Claims 40-41	\$60.25
Water District No. 3	Claims 32-33	\$2,325.16
Water District No. 4	NONE	\$0.00
Water District No. 5	NONE	\$0.00
Water District No. 6	Claims 54-58	\$1,337.79
Water District No. 7	Claim 19	\$284.81

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Water District No. 8	Claim 18	\$720.00
Water District No. 9	Claim 17	\$240.00
Water District No. 10	Claims 32-34	\$405.00
Water District No. 11	Claims 61-66	\$875.61
Water District No. 12	NONE	\$0.00
Water District No. 13	NONE	\$0.00
Water District No. 14	NONE	\$0.00
Water District No. 15	NONE	\$0.00
Water District No. 20	NONE	\$0.00

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

So adjourned at 8:57 p.m.

Respectfully Submitted,
