

Town of Murray, Town Board Meeting

April 7, 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, Assessor Lynn Wood, Code Enforcement Officer Ron Vendetti, Legislator Ken DeRoller, Joe Sidonio, Richard Downey

Pledge to the flag.

Motion by Christ, Seconded by Bower approving the March meeting minutes as submitted Motion Carried

Legislator DeRoller informed all that the county has hired a lobbying organization to provide us with a full prospective of business issues within the county. Hopefully the county can get some leverage where prospective new businesses are concerned. He will keep us informed as to any new news.

The Route 18 bridge in Carlton, the bridge in Waterport and the Hulberton Rd. bridge in Murray have been repaired so they are beginning to make progress. The Legislature passed a resolution to try and put more emphasis on our infrastructure. This summer, all navigational lights on bridges will be lit.

Wayne Hale has been brought in by the Legislature to do some consulting work on tourism and to look at dredging opportunities.

Assessor: The office is preparing for the tentative roll as it must be available to the public May 1st. Assessments increased \$586,313 due to improvements. This may change once grievance day arrives.

County-wide, there were 438 basic STAR deletions, Enhanced STAR increased by 149 and veteran exemptions decreased by 55.

Attorney Jeff Martin asked Lynn his opinion regarding the resolution on the agenda tonight regarding moving the STAR exemption from a real property tax exemption to a personal income tax credit. Lynn stated that this has been an exemption for years and suddenly to change it to a personal credit would not be a good move.

Code Enforcement Officer: Ron informed all of the outcome of the A&M Automotive public hearing that took place last night. Mr. Manno is currently

in compliance. Ron thinks there is a clear understanding of the cost Mr. Manno had to go through. A&M is not the Town's only issue. With spring upon us, he will start with property maintenance issues. Rick Gallo called Ron and requested more time to remove the two unregistered cars from his property. Ron gave him until the end of the month. Ron thanked the board members who attended the public hearing.

Ron is requesting the Town put an ad in the paper requesting quotes for mowing abandoned properties. It is very difficult to tell property owners that they need to maintain their grass when, on at least every road there are vacant properties that are not mowed. Councilwoman Case asked how can Hamlin, Clarendon and other towns do this and not have problems. Jeff said it isn't a problem until someone complains about it. The Undersheriff said the Town has no authorization to go onto someone's property. Ron said that trespassing is going on someone's property for malicious purposes and mowing is not malicious. Councilman Hendel stated he stands behind whatever Jeff Martin's advice is regarding this matter. He said that the board is all for property maintenance but we need to do what is legal. Highway Superintendent Ed Morgan stated that the Town has the equipment and manpower to do this. We know the cost of doing this but wouldn't be doing it as a contractor to make money, only to cover our cost. Ron said there are three properties with grass higher than three feet. It is difficult for him to tell someone to mow when a vacant house down the road from them has grass that high. He cannot even find these owners of the vacant properties. He went on to say that there is nothing the Town does on a daily basis where there is not a certain risk and the benefits of mowing these properties far outweigh the risks. Jeff would like an opportunity to look further into this. Councilman Hendel said the first step is to find out what the liability is. This issue is tabled until next month.

Old Business:

Ed has not signed the snow and ice contract that the board authorized him to last month as there are not provisions in it for the Town to be compensated for maintaining the bridges in the winter. Ed is trying to set up a meeting in order to get it straightened out. He will keep the Board informed of the outcome.

New Business:

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

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF MURRAY PETITIONING GOVERNOR CUOMO AND THE STATE LEGISLATURE TO DELAY PROPOSED

LEGISLATION WHICH WOULD MOVE THE STAR EXEMPTION FROM A REAL PROPERTY TAX EXEMPTION TO A PERSONAL INCOME TAX CREDIT

WHEREAS, included in the 2015/2016 New York State Budget is a proposal to convert the STAR real property tax exemption to a Personal Income Tax (PIT) credit; and

WHEREAS, this transition is supported by both the New York State Assessors Association and the New York State Association of County Directors of Real Property Tax Services as New York State is better equipped to ensure the accuracy of this exemption; and

WHEREAS, this transition to a PIT credit would start with any STAR exemption that was granted for property owners that were not eligible as of March 3, 2014; and

WHEREAS, this transition would result in much confusion to the local property owner who has been under the assumption that they would be eligible for the exemption since they applied with their local Assessor; and

WHEREAS, when additional confusion is added to an already complicated property tax system taxpayers become more frustrated with the whole tax system; and

WHEREAS, this transition will require the Assessors' offices in Orleans County to send out approximately 276 denial letters for this exemption which will increase the amount of phone calls, letters, and foot traffic to explain why the denial has to occur when an approval was already sent out; and

WHEREAS, this transition will result in either a shortage in their escrow account which would then have to be made up in double for the next escrow payment year or their anticipated tax bill will be approximately \$600 more with Basic STAR and \$1,400 more with Enhanced STAR than they budgeted on their own; and

WHEREAS, this additional tax amount might disqualify potential buyers of real property as it will put them over the 43% Debt to Income ratio established in the provisions of DODD FRANK that became effective January 2014; now therefore be it

RESOLVED, that the Town Board of the Town of Murray on recommendation of the Finance Committee petitions New York State to delay this transition to any STAR exemption that was granted after the 2015 Assessment Roll to more adequately inform the public of this important change in their taxes; and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Murray shall forward copies of this resolution to Governor Andrew M. Cuomo, New York State Senator Robert Ortt, New York State Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, and all others deemed necessary and proper.

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

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

OPPOSING NEW STATE'S PLAN TO CLOSE SKILL DEVELOPMENT CENTERS AND WORK CENTERS

WHEREAS, this Town Board of the Town of Murray believes that people have the right to participate in their community to their full ability; that people have the right to a supportive network of friends and advocates and that people have the responsibility to care for themselves and their neighbors in a safe, holistic, healthy community; and

WHEREAS people with intellectual and other developmental disabilities currently receive funding for employment in sheltered workshops also known as skill development centers. This means that a student transitioning out of high school with a disability are able to pursue employment and a paycheck in this vocational setting upon graduation; and

WHEREAS, the Orleans Enterprises (OE) workshop at 215 Washington Street opened in 1981 providing employment to hundreds of individuals leading with a mission to promote community inclusion through community based supported employment; and

WHEREAS, new vocational service recipients start in sheltered, many were found through vocational evaluation funded by VESID (Vocational and Education Services for Individuals with Disabilities a branch of State Ed now known as ACCESS-VR) to be appropriate for community based employment. Some individuals have chosen to stay in sheltered work, which is the right of

every American to choose where they want to work and they are provided support and information to choose other options on a regular basis through case reviews; and

WHEREAS, the State's plan to close vocational workshops like the one operated by the ARC of Orleans will force those employed now to either stay home or participate in a Day Care program, thus removing the dignity associated with employment and taking away a vital step to community based employment; and

WHEREAS, The U.S. Supreme Court's decision in *Olmstead v. L.C.* recognized the right of the individual with developmental disabilities who are currently in a sheltered workshop to remain in that setting if they wish to do so; now be it

RESOLVED, that the Town Board of the Town of Murray does hereby oppose the New York State's plan to close SKILL DEVELOPMENT CENTERS AND WORK CENTERS, thus removing this important step towards Community Based supported employment; and be it

FURTHER RESOLVED, that the Town Board of the Town of Murray is requesting this plan to close the Center Based workshops to be rescinded and allow the funding of these Work Centers to continue allowing them to stay open and continue giving those working there the self-advocacy of choosing where they want to work; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to Governor Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Counties, Inter-County of Western New York, all Orleans County Towns and Villages, ARC of Orleans County, NYSARC, OPWDD and all others deemed necessary and proper.

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

Motion by Christ, Seconded by Case declaring the Code Enforcement Officer's and the Deputy Clerk's old computers obsolete and no longer needed for Town use Motion Carried

Discussion regarding the correspondence from the Historical Society requesting financial aid of \$1,000 per year from the Town of Murray. Although the Town budgeted and made an agreement to give them \$500 per year, with payment to begin once the agreement was signed by them. The Historical

Society was given the contract in December, 2013 and they have never signed it or acknowledged it. Supervisor Morriss stated that the Town has to be under the cap and show that we are saving 1% of our budget so things are going to be tight. The Town has never been given documentation of utility bills, insurances, etc. since the agreement was given to the Historical Society. They are asking for more money but giving us no documentation to show us. Jeff will write a letter to the Historical Society and report back to the Board.

As our copier/fax/scanner lease will be ending this year John and Cindy will be meeting with Brooke Pontillo, our Toshiba representative to look at a new lease on an updated copier. John believes we can do this for close to the amount we are now paying. John will get the information from Brooke and bring it back to the Board.

Reminder of the Supervisor/Legislator meeting on April 28th. The Town of Murray will be hosting the May meeting and Brian of Strong West will be speaking about their facility's services.

Discussion regarding electronic waste. The Town is still accepting electronic waste from Town of Murray residents. The Town made an agreement for John Fitzak to pick up these electronic items and he has done so, although an agreement was never signed. With new DEC stipulations, John can no longer get rid of them at no charge. Legislator DeRoller said the County is trying to help with this situation and if he can arrange a free pick up of the electronics the Town presently has, he will do so. In the meantime, the Town will continue to accept electronic waste from Town residents. Legislator DeRoller will get back to Supervisor Morriss or the Board with any new information he learns of.

Attorney:

Jeff spoke to Chris Hanes of Albion Agencies regarding the Notice of Claim discussed at last month's meeting. Jeff sent Chris a two page memo, (copies provided to the Board by Jeff) with all of the information regarding this issue. Chris said he is dealing with it directly through NYMIR and the Town does not have to do anything.

Town Clerk:

Receipts for March totaled \$871 with \$826 going into the general fund.

Unpaid tax notices will be mailed out on April 15th notifying property owners that they have until April 30th to pay. After that day, all taxes will have to be paid at the County Treasurer's office with a higher penalty.

Highway and Water Superintendent:

Ed discussed the areas scheduled for repair and/or improvement within the Town. Because of the winter severity, we will be receiving an extra \$10,327.

Motion by Bower, Seconded by Christ that the Town Supervisor, Town Board and Superintendent sign the Agreement for the Expenditure of Highway Moneys. Motion Carried

Ed informed the Board of a major water break on Route 31 near Howard Farms. 900,000 gallons of water was lost in three hours. It drained Clarendon’s tower and their system and also drained Barre’s tower. There was another break on Fancher Road the following week where two to three thousand gallons of water was lost.

Motion by Christ, Seconded by Bower authorizing Highway Superintendent Ed Morgan to take the 2004 cab and chassis and other miscellaneous items to the Palmyra auction on May 9th. Motion Carried

Ed stated it is time to start looking at another 10-wheeler to replace the 2000. If the Board doesn’t have any objections, he would like to get prices and details to bring back to the Board.

Ed spoke about training that is offered by the county on different aspects of the business. Three Highway employees attended today and many aspects of the job, including normal right-to-know, work zone, trenching and excavating were part of the training sessions. This is a great program the county is offering.

Motion by Christ, Seconded by Hendel that the Board enter into an executive session regarding the discipline of a particular employee. Motion Carried

Board entered into executive session at 8:16 p.m.

Motion by Bower, Seconded by Christ that the Board return to regular session. Motion Carried

Board returned it regular session at 9:32 p.m.

Motion by Hendel, Seconded by Christ to approve the Supervisor’s financial report and to pay the following bills: Motion Carried

General Fund	Claims 85-117	\$17,348.88
Highway Fund	Claims 73-88	\$87,124.67
Water District No. 1	Claims 9-11	\$378.35

Water District No. 2	12-15	\$597.02
Water District No. 3	Claims 10-13	\$284.77
Water District No. 4	Claims 5-6	\$77.20
Water District No. 5	Claims 4-6	\$139.25
Water District No. 6	Claims 12-16	\$4,239.01
Water District No. 7	Claims 4-5	\$188.14
Water District No. 8	Claims 4-5	\$124.74
Water District No. 9	Claims 5-6	\$61.34
Water District No. 10	Claims 10-12	\$75.25
Water District No. 11	Claims 18-22	\$366.33
Water District No. 12	Claims 4-5	\$77.19
Water District No. 13	Claim 4	\$29.64
Water District No. 14	NONE	\$0.00
Water District No. 15	Claim 5	\$29.64
Water District No. 20	NONE	\$0.00

Motion by Case, Seconded by Christ to adjourn the meeting.

Motion Carried

Meeting adjourned at 9:37 p.m.

Respectfully Submitted,
