

MEETING OF THE MURRAY TOWN BOARD

March 10, 2015

Present: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Ed Bower, Lloyd Christ and Paul Hendel, Tony Gianni, Joe Sidonio, Ron Meiers, Richard Downey, David Piedmonte, Fran Gaylord, Mike Bove

Pledge to the flag.

Motion by Christ, Seconded by Case to enter into executive session

Motion Carried

Town Board entered into executive session at 6:32 p.m.

Motion by Hendel, Seconded by Case that the Town Board return to regular session with no action taken. Motion Carried

Town Board returned to regular session at 6:45 p.m. with no action taken.

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

Assessor

March 2nd was the cut-off date for exemptions. This has been the slowest year in receiving the enhanced STAR and senior exemptions. The office made numerous phone calls, sent out a third notice this year and also made two trips to homes to pick up the paperwork for our residents. 29 basic star exemptions were eliminated as people either filed double exemptions or they didn't register with tax and finance.

Last year the Town took a big hit on assessed valuation for special franchises. This year, National Grid is making many improvements and we are now \$219,484 on the plus side for special franchises.

Code Enforcement/Zoning Officer

The year's first building permit for a new home was issued. It is being built on West Kendall Road. Ron has training next week for the full week. He also needs to take a couple weeks off from work in April. Two-thirds of the code book is put together. He will be sending copies so all can look it over and point out any errors. It shouldn't take long to approve and adopt as it is what we already have, just streamlined. Monday, April 6th is the next Planning Board meeting/public hearing.

Old Business

Discussion regarding *No Parking* signs. Ron's intention is to send the businesses another letter stating that it was proposed that some of the businesses would like to try to mitigate the situation themselves and those who have not submitted a plan to rectify the situation, need to do so. Councilman Hendel stated that the Town already has requirements in our zoning law in reference to customer parking. The zoning law clearly states that businesses must provide adequate parking, if they fail to do so, they are in violation. If these businesses do provide adequate off street parking and their customers do not use it, then the customer is at fault. All are in agreement to give the business owners more time to rectify their parking issues.

Reminder that there will be a health insurance work meeting on Monday, March 23rd at 7:00 p.m.

New Business

Motion by Hendel, Seconded by Case appointing Neil Valentine to the Town Planning Board to a term ending 12/31/2019, appointing Chris Chilson to the Zoning Board of Appeals to fill the existing vacancy to a term ending 12/31/2018 and appointing Chad Fabry as an alternate member of the Town Planning Board Motion Carried

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

SUPPORTING REFORM OF THE AID AND INCENTIVE FOR MUNICIPALITIES (AIM) FORMULA IN ORDER TO DISTRIBUTE THE NEW AID TO LOCAL GOVERNMENTS

WHEREAS, unrestricted state aid to local governments – formerly known as revenue sharing, now known as Aid and Incentive for Municipalities, or AIM – is general purpose state aid provided to all of New York's cities (outside of New York City), villages and towns; and

WHEREAS, since the late 1980s, the original "revenue sharing" formula – intended to provide property tax relief by redistributing the state's progressive tax revenues to municipalities that do not have the tax base or the taxing authority to generate these revenues on their own – has been annually disregarded and various constraints have been imposed on the overall level of state aid to local governments; and

WHEREAS, the original "revenue sharing" formula has not been utilized for decades and, since that time, various additional aid categories have been

targeted to specific municipalities based on no particular economic or demographic factors, the current allocation of unrestricted aid (AIM) fails to accurately reflect the fiscal need and capacity of its recipient cities, villages and towns; and

WHEREAS, unrestricted State aid to local governments is a clear and proven way to provide property tax relief, when sufficiently funded; and

WHEREAS, a strong and growing state-local fiscal partnership is essential to generating economic vitality in all regions of our State; and

WHEREAS, local governments are limited by the 2% cap on property tax levies, growth in unrestricted State aid is critical; now, therefore be it

RESOLVED, that the Murray Town Board calls on the Governor and the State Legislature to implement a multiyear phased 50% increase in the AIM program funding and a reform of the AIM formula in order to distribute the new aid to local governments in a fair and objective manner, and would account for local fiscal capacity and need; and be it

FURTHER RESOLVED, that the new program’s formula components, at a minimum, should include population, population density, poverty and public safety services and the formula should also consider the amount of tax-exempt property a municipality has within its boundaries, as this has a significant effect on a community’s ability to raise revenue; and be it

FURTHER RESOLVED, that the Clerk of the Town shall forward copies of this resolution to Governor Andrew M. Cuomo, Lieutenant Governor Kathy Hochul, Senator Robert Ortt, Assemblyman Steve Hawley, Assemblywoman Jane Corwin, NYSAC, InterCounty of Western New York, Orleans County Towns and Villages, and all others deemed necessary and proper.

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

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

The resolution was thereupon adopted.

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

SUPPORTING LEGISLATION TO REPEAL THE NEW YORK SECURE AMMUNITION AND FIREARMS ENFORCEMENT (SAFE) ACT OF 2013

WHEREAS, Senate bills S511-2015 and S1193-2015 have been introduced to the New York State Senate by Senators Michael Nozzolio and Katherine Marchione respectively, which would repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and

WHEREAS, this Legislative Body has long advocated for the protection of the rights afforded our citizens under the Constitution, which has for generations guided our Nation and served as a framework to our republic and society; and

WHEREAS, the Second Amendment of the United States provides for the "right of the people to keep and bear arms" and further states that this right "shall not be infringed"; and

WHEREAS, members of the Town Board of the Town of Murray, being elected to represent the people of the Town of Murray, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, members of the New York State Assembly and the New York State Senate, being elected by the people of New York State, are duly sworn by their oath of office to uphold the Constitution of the United States; and

WHEREAS, the Civil Rights Law of the State of New York states in Article 2 Section 4, "Right to keep and bear arms. A well-regulated militia being necessary to the security of a free state, the right of the people to keep and bear arms cannot be infringed."; and

WHEREAS, the lawful ownership of firearms is a recreational benefit to our residents through hunting and target shooting, along with an economic and environmental benefit to our region with several locally owned and operated gun/sporting businesses; and

WHEREAS, the New York State Secure Ammunition and Firearms Enforcement (NY SAFE Act) of 2013 which was rushed to passage by the New York State Senate, Assembly and Governor, will have a detrimental effect on

hunters, sportsmen and legal gun owners, creating a hostile environment both for them and for the sale and manufacture of legal firearms; and

WHEREAS, the legislation prohibits the sale of firearm magazines with a capacity larger than seven (7) rounds and, those firearm magazines with a capacity larger than seven (7) rounds, which are authorized to be retained by existing owners, may only be loaded with seven (7) rounds and eventually must be permanently altered to only accept seven (7) rounds or be disposed of; and

WHEREAS, few or no low capacity (seven (7) rounds or less) magazines currently exist for many of the firearms commonly possessed by law-abiding residents of New York State; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed by the residents of the Town of Murray for the defense of life, liberty and property; and

WHEREAS, the legislation severely impacts the possession and use of firearms now employed for safe forms of recreation including, but not limited to hunting and target shooting; and

WHEREAS, while there are some areas of the legislation that the Town Board of the Town of Murray finds encouraging, such as the strengthening of Kendra's Law and Marks's Law, as well as privacy protections for lawful permit holders, we find the legislation fails to offer little meaningful solutions to gun violence and places undue burdens where they don't belong, squarely on the backs of law abiding citizens; and

WHEREAS, there are many parts of this legislation that place an unfunded mandate on the local Police Department, Orleans County Sheriff Departments, Orleans County Town Clerks and Orleans County Clerk's Office, Town Judges and Orleans County Judges, while tax payers are crying out relief; and

WHEREAS, there will be significant financial impact due to the approximately 4,850 Orleans County pistol permits that will have to be renewed requiring additional manpower and computer systems; and

WHEREAS, requiring law-abiding gun owners to verify ownership of certain types of firearms every five years, in addition to registering them on permits, which now also must be renewed every five years, does not increase the safety of the public and is unnecessarily burdensome to the residents of New York State; and

WHEREAS, this legislation effectively treats countless New York State law abiding gun owners as criminals; and

WHEREAS, the enactment of the NY SAFE Act has engendered significant controversy over both the process by which it was enacted and certain provisions contained within; and

WHEREAS, the manner in which this legislation was brought forward for vote in the State Legislature is deeply disturbing to the Orleans County Legislature; and

WHEREAS, this legislative body unanimously voted to oppose the New York Secure Ammunition and Firearms Enforcement Act of 2013 for all reasons stated above on March 12, 2013 at a regular Board meeting of the Town of Murray Board; now be it

RESOLVED, that the Town of Murray does hereby support Senators Michael Nozzolio's and Katherine Marchione's bills S511-2015 and S1193-2015 to repeal all or part of the New York Secure Ammunition and Firearms Enforcement Act of 2013; and be it

FURTHER RESOLVED, that the Town Board of the Town of Murray supports the introduction of an Assembly bill which calls for the repeal of the New York Secure Ammunition and Firearms Act of 2013; and be it

FURTHER RESOLVED, that this Town Board supports efforts by the New York State Legislature to remove funds for enforcement of the New York Secure Ammunition and Firearms Act of 2013 from the New York State Budget; and be it

FURTHER RESOLVED, that certified copies of this Resolution be forwarded to the Governor of the State of New York, Senator Robert Ort, Assemblyman Stephen Hawley, Assemblywoman Jane Corwin, New York State Association of Towns, all Orleans County Towns and Villages, and all others deemed necessary and proper.

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

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

Resolution was thereupon adopted.

Motion by Christ, Seconded by Case authorizing the Highway Superintendent to sign the snow and ice contract for the 2016/2017 season.

Motion Carried

Motion by Christ, Seconded by Hendel authorizing Supervisor John Morriss to sign the new Collateral Pledge and Control Agreement when it arrives as JP Morgan Chase will no longer be handling this. Motion Carried

Motion by Bower, Seconded by Christ declaring two desktop printers obsolete and no longer needed for Town use. Motion Carried

Motion by Christ, Seconded by Case authorizing Attorney Jeffrey Martin to write a letter denying a notice of claim against the Town Motion Carried
 Jeff will do so and will also respond to NYMIR regarding this.

Town Clerk

Receipts for February totaled \$799.00 with \$388.18 going into the general fund.

Hickory Ridge Golf-Country Club-RV Resort is renewing its four liquor licenses that they currently hold. They are also applying for a new liquor license for the clubhouse dining room.

Cindy has registered for the NYS Town Clerk’s Association Annual Conference. It is being held at the Hyatt Regency in Rochester from April 26th through the 29th. Val will be in the office while Cindy is attending the conference.

Supervisor Morriss informed all on the major water break that occurred on Saturday.

Public Comments

Dave Piedmonte stated that the Town is only addressing businesses regarding the no parking signs. There are parking issues during special events at the school. Also, if this is strictly a safety issue, there are roadside stands, garage sales and special events where there are unsafe parking issues that haven’t been addressed.

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

General Fund	Claims 52 - 84	\$21,559.83
Highway Fund	Claims 51 - 66	\$26,164.27
Water District No. 1	Claims 6 - 8	\$346.10

Water District No. 2	Claims 7 - 11	\$7,188.67
Water District No. 3	Claims 6 - 9	\$5,275.07
Water District No. 4	Claims 2 - 4	\$120.73
Water District No. 5	Claims 2 - 3	\$34.30
Water District No. 6	Claims 9 - 11	\$155.48
Water District No. 7	Claims 2 - 3	\$102.06
Water District No. 8	Claims 2 - 3	\$68.18
Water District No. 9	Claims 3 - 4	\$34.30
Water District No. 10	Claims 6 - 9	\$86.75
Water District No. 11	Claims 12 - 17	\$1,889.58
Water District No. 12	Claims 2 - 3	\$42.76
Water District No. 13	Claims 2 - 3	\$42.76
Water District No. 14	NONE	\$0.00
Water District No. 15	Claims 3 - 4	\$85.11
Water District No. 20	NONE	\$0.00

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

So adjourned at 7:37 p.m.

Respectfully Submitted,
