

Town of Murray Board Meeting

December 13, 2016

Present: Supervisor John Morriss, Councilwoman Kathleen Case, Councilmen Ed Bower, Lloyd Christ and Paul Hendel, Town Clerk Cindy Oliver, Attorney Jeff Martin, Code Enforcement Officer Ron Vendetti, Louise Passarell, Legislator Ken DeRoller, Scott Ramsey, Heather Ramsey, Nicole Ramsey, Eric Collyer, Dennis Piedmonte, Doug Piedemonte, Tony Manno, Henry Bilohavek, Joseph Sidonio, Reynold Klatt, Jean Klatt, Ted Jenny, Ian Berg, Elaine Berg, Ted Karpenko, Beverly Whiteman

Pledge to the flag.

Motion by Case, Seconded by Bower approving the minutes of the November public hearing and board meeting as submitted Motion Carried

Legislator DeRoller updated all on the progress they are making with canal bridges and the funding that will be coming over the next two years. The navigational lights should be working properly also. Regarding the Lake Ontario Parkway, he has met with Senator Ort and the DOT Commissioner from Region 4 and the worst part of the parkway will be paved over the next couple of years. The rest, from Route 237 to Lakeside Park will be completed after that. The County has paved over 25 miles of highway this year. Legislator mentioned that Danielle Oliver, Cindy's daughter was recognized by Orleans County Job Development earlier this month. Danielle went through the county agency when she was completing her Dental Assisting Program and now is a full-time Dental Assistant working in our county for Silsby Family Dental in Albion. Supervisor Morriss and Councilman Hendel thanked Legislator DeRoller for his tenacity in championing the parkway project. His hard work is obviously paying off.

Ted Jenny, President of Kateland Farms spoke of the restriction on the use of Kateland Farm Event Barn. Mr. Jenny spoke of the history of the farm and how, in the last three years, the show barn has been the site of weddings and wedding receptions. In 2015 Jean Klatt came on board as wedding coordinator. At that time, Jean was told the weddings could take place at the barn but no hay was allowed inside. He was recently surprised with a letter saying that the weddings are now not permitted. The Event Barn brings people to the farm and to the community. It is a May through October operation. They offer the brides the use of the miniature horses to bring them to the ceremony. He is asking the Board to review the situation so they can continue the holding the weddings and receptions at the barn.

Code Enforcement Officer The Village of Albion received a zombie grant from the Attorney General's office. This will allow them to offer counseling for people who are behind on their mortgage payments, or who have lost their homes but haven't been foreclosed on yet. The Village will be advertising and offering these services to the people of Orleans County who may be in this type of situation. Jeff Martin gave the Board a proposed commercial solar farm moratorium and he has a couple other options to look into. He will have something in place to review at the January meeting. Ron has signed up for two classes dealing the solar issue.

New Business

Our year-end meeting will be held the same night as the public hearing on water assessments. The Public Hearing will begin at 6:00 p.m. and the meeting will immediately follow.

Supervisor Morriss thanked Councilpersons Paul Hendel and Kathleen Case for their work on the Justice Court audit. Paul said they found no discrepancies. Our Justices do a great job in maintaining appropriate records.

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

RESOLVED, that the Town Board of the Town of Murray hereby accepts the audit report for the Town of Murray Justice Court performed on December 5, 2016 and December 8, 2016, signed by Councilpersons Kathleen Case and Paul Hendel.

Upon being put to a vote, the following voted in favor of adoption of the resolution:

Supervisor John Morriss, Councilpersons Edwin Bower, Kathleen Case, Lloyd Christ and Paul Hendel.

The resolution was thereupon declared adopted.

Motion by Christ, Seconded by Case declaring the old computer and monitor obsolete and no longer needed for town use Motion Carried

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

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 2018-2019 contract year.

Upon being put to a vote, the following voted in favor of adoption of the resolution:

Supervisor Morriss, Councilpersons Bower, Case, Christ and Hendel.

The following voted against adoption: none

The resolution was thereupon declared adopted.

Attorney Jeff Martin spoke about the proposed property maintenance law. He is not sure where the Board stands but if the only concern is that with the state code, violators would be charged with a misdemeanor rather than a violation, they have the ability to adopt a resolution which would treat a violation of the state code as an infraction rather than a misdemeanor. The Board could determine what the fines would be for a first, second and third violation. Ron stated that part of the reason for adopting a property maintenance law was to get this into our own Town code and on our website so people can easily read it, print it out and understand it. You can pull up the state code on line but you cannot print it.

Jeff had the tentative water assessment rolls, which show each property owner who is in a water district and what their assessment would be on your tax bills. Cindy will have copies of these in her office for anyone who would like to see it. As mentioned earlier, the public hearing on these water assessments will be held on December 27th. This gives people an opportunity to see what the charge will be on their tax bills come January.

Brief discussion regarding grant amounts and cost of water district 3, extension 1. Rural Development is operating under some different regulations such as hardships. What we used to consider a hardship is now considered a half unit. Our next step is to hold an informational meeting to see if residents are interested in moving forward. Jeff could have petitions available at the meeting so if anyone is interested, petitions could be handed out at that time.

Town Clerk Receipts for November totaled \$1,628.00 with \$502.66 going into the general fund.

Tax bills haven't arrived yet but hopefully they will be delivered by the beginning of next week so Cindy and Val can get started with the bank requisitions.

Public Comments

Joe Sidonio voiced his concerns about the thought of streamlining the code violation enforcement process from a misdemeanor to a violation. It seems

that would make it easier to prosecute. He asked the Board to consider what they do in the streamlining process. He spoke of three violation notices that were issued for signs that were in violation although other signs can remain in these areas. The obvious remedy to these examples is that instead of issuing violations, have some dialogue. He asked the Board to really consider what they do in streamlining this process.

Charles Collier spoke about the lack of communication between Code Enforcement and violators. He would expect Ron to give someone a heads up and give them a call to let them know they are in violation prior to a notice being issued. Supervisor Morriss informed him that he has looked at the violation notices that Code Enforcement sends out and on the violation, in bold print it states *'If you feel you have received this in error, please call us.'* Ron Vendetti stated that his office sends letters so there is documentation. The letters let the residents know that they can call if they believe it was sent in error or if they need more time to correct the situation. The sign notices that Mr. Sidonio spoke about is the same thing Ron is speaking about. They were all given letters and the winery was even contacted by a member of the Planning Board and they still failed to correct the issue. They plead guilty in court because they were in violation. Mr. Collier said other building inspectors only issue violations if there is an actual complaint from a resident. Councilwoman Case reminded all of what happened in California with over 50 people killed because of a lack of enforcing the building codes and improper inspections. She is thankful Murray has someone in our Town who enforces the codes that are in place for the safety of all of us.

Supervisor Comments Supervisor Morriss spoke about the public hearing in November on the proposed property maintenance local law. It turned into a session to bash our Code Enforcement Officer and the job that he is doing. Based on social media comments people that were present really let Ron have it and sent a message to the Town Board. We got the message, you all want a Code Enforcement Officer who does nothing but collect a paycheck. You want to do whatever you want whether it's in violation or not, with no concern of the impact it has on your neighbors, town or county. Only one person who spoke at the public hearing understood what we were trying to do and that was Tony Peone. He said it was a 'no-brainer'. Obviously residents should want us to charge a violator with a violation instead of a misdemeanor. Chad Fabry spoke about a lot a redundancies in the proposed law. Joe Sidonio pointed out things he thought needed changing. Supervisor Morriss commended Ron for the way he handled himself that night. Those present tried to paint him as the bully, but Ron wasn't the bully in the room that night.

Councilman Hendel stated how disheartening it is when you feel like you're trying to do something good for the community and a small group twists things

in a total different direction. There are a number of businesses us who would like to be locating their business in our area. These businesses do their research, go on websites in local communities and want to know what they can do with their property and what uses are permissible. If they don't find their answers, they move on.

There was a comment at the public hearing relative to the fact that police do their jobs and enforce the regulations. Mr. Hendel's son, a police officer doesn't have the authority to decide which laws to enforce and which not to enforce. The same goes here. Laws are in place for a reason. There are people who don't like enforcement, violators don't like enforcement. There is another group of citizens who will thank these officers for enforcing our laws. We need to remember that we represent these citizens as well. He had a conversation with a group of people who were present at the public hearing. They said they were too intimidated to stand up and speak that night. We need to remember that there are people out there who depend on us to do the right thing as well. Councilman Hendel believes it's important that we take the property maintenance law, make it our own and put it on our website so future and current residents have access to it.

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

General Fund	Claims 325-367	\$22,628.81
Highway Fund	Claims 148-167	\$52,830.16
Water District No. 1	Claims 26-28	\$1,158.50
Water District No. 2	Claims 41-46	\$8,830.33
Water District No. 3	Claim 33	\$569.25
Water District No. 4	Claim 18	\$187.18
Water District No. 5	Claim 15	\$82.93
Water District No. 6	Claims 58-62	\$5,984.77
Water District No. 7	Claim 19	\$577.55
Water District No. 8	Claim 19	\$417.61
Water District No. 9	Claim 15	\$131.50
Water District No. 10	Claims 28-29	\$189.77
Water District No. 11	Claims 65-69	\$4,531.46
Water District No. 12	Claims 14-15	\$445.72
Water District No. 13	Claim 13	\$180.07
Water District No. 14	NONE	\$0.00
Water District No. 15	Claims 18-19	\$840.60
Water District No. 20	NONE	\$0.00

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

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Cynthia Oliver