

Town of Murray Town Board Meeting

February 14, 2017

Present: Supervisor John Morriss, Councilmen Ed Bower, Lloyd Christ, Paul Hendel and Bob Miller, Town Clerk Cindy Oliver, Attorney Jeff Martin, Assessor Lynn Wood, Louise Passarell, Keith Oliver, David Knapp, Dave Piedmonte, Dean Penna, Steven Piedmonte, Joe Sidonio, Randy Piedmonte, Farin Seiler, Mary Dewey, Skip Brien, Pat Neary, Rita Neary, Anthony Peone, Tony Manno, Dennis A. Piedimonte, Neil Valentine, Jody Ramsey, Nicole Ramsey, Heather Ramsey, Paul Karpenko, Dale Passarell, Kerri Neale

Pledge to the flag.

Motion by Christ, Seconded by Miller approving the minutes of the January meeting as submitted Motion Carried

Assessor Lynn informed all that the residents, especially the older property owners are very pleased with the office being moved downstairs. The office has been very busy with exemptions. The Department of Taxation and Finance would ultimately like for all of our senior residents who file income taxes be signed up for income verification. This would eliminate the need for them to renew their STAR exemption each year.

Old Business

Supervisor Morriss asked for the minutes of the December 13, 2016 meeting be amended under Supervisor Comments on page four striking the following sentence from the record in regards to Chad Fabry and Joe Sidonio: *But when these two were contacted asking them to send their suggestions in for the Board to review, they refused. When an offer was made for each of them to come and talk about their suggestions, both parties refused.* Supervisor Morriss apologized for the mistake and would like the record to reflect that the offer to come in and discuss their suggestions was made. Motion by Christ, Seconded by Bower to amend the minutes of the December 13, 2016 meeting to reflect this change Motion Carried

The Town Board needs to set a date for a meeting to discuss water rates and policies. Supervisor Morriss will speak to Ed Morgan regarding his availability and then a meeting date can be confirmed.

Reminder that a public hearing on Local Law #1 of 2017 – *A Moratorium on Installation of Freestanding or Ground-Mounted Solar Energy Systems* is scheduled for 7:00 p.m. on March 14th. The regular monthly Board meeting will immediately follow the public hearing.

Councilman Hendel gave Supervisor Morriss copies of the Village of Medina and Town of Ridgeway's regulations on solar energy systems for his reference.

New Business

Councilman Hendel moved adoption of the following resolution; Councilman Christ seconded the motion:

RESOLVED, that the Town of Murray enter into an agreement with Bonadio & Co., LLP for the auditing of the Town's financial statements of the governmental activities, each major fund and the aggregate remaining fund information which collectively comprise the basic financial statements of the Town for the year ending December 31, 2016, on the terms and conditions more fully set forth in the agreement;

RESOLVED, that Supervisor Morriss be and he is hereby authorized to execute the agreement on behalf of the Town.

Upon being put to a vote, the following voted in favor of adoption of the resolution: Supervisor Morriss, Councilmen Bower, Christ, Hendel and Miller.

The following Town Board members voted against adoption: none

The resolution was thereupon declared adopted

Councilman Bower moved adoption of the following resolution; Councilman Miller seconded the motion:

RESOLVED, that the Town of Murray enter into a Contract for Shared Highway Services with the County of Orleans and other participating municipalities for a term of five (5) years, commencing May 1, 2017 and terminating on April 30, 2022, providing for the Town to share services with the County of Orleans and the Towns and Villages in the County of Orleans, including but not limited to renting, exchanging or lending highway machinery, tools and equipment, with or without operators; borrowing or lending supplies between municipalities; providing a specific service for another municipality, conditioned upon receiving a similar service or a service of equal value; and maintaining machinery or equipment for the benefit of another municipality, on the terms and conditions more fully set forth in agreement; and it is further

RESOLVED, that Supervisor Morriss be and he is hereby authorized to execute the agreement on behalf of the Town.

Upon being put to a vote, the following Town Board members voted in favor of adoption of the resolution: Supervisor Morriss, Councilmen Bower, Christ, Hendel and Miller.

The following Town Board members voted against adoption: none

The resolution was thereupon declared adopted.

Supervisor Morriss received a written complaint stating that the view of traffic is hindered with machines for the logging sign at the intersection of Groth Road and Route 104. Councilman Hendel drove to the area, stopped on the stop line on Groth Road at the traffic light, heading north. The steel pole blocked his view to the west more than anything else on the corner. Maybe the view could change on a daily basis depending on what is put out in the area. Ron will have to be a part of this discussion when he is back in town. In the meantime, it was suggested that the Board drive to the area and see what they think.

There were some bills that were approved at the January meeting but were for services or supplies received at the end of 2016. Because of this, some transfers need to be made in order to keep our financial records accurate.

Motion by Christ, Seconded by Hendel approving the following transfers:

Motion Carried

GENERAL FUND – TOWNWIDE

<i>Transfer From:</i>	A1320.4	Ind. Auditing Contractual	\$4,000.00
	A1410.4	Town Clerk Contractual	\$1,000.00
	A1440.4	Engineering Contractual	\$ 432.00
			<u>\$5,432.00</u>

<i>Transfer To:</i>	A1110.4	Justice Contractual	\$ 776.00
	A1315.4	Comptroller Contractual	\$1,000.00
	A1620.4	Buildings Contractual	\$2,460.00
	A1670.4	Central Printing Contr.	\$ 133.00
	A5182.4	Street Lighting Contr.	\$ 674.00
	A9060.8	Hospital & Medical Ins.	\$ 389.00
			<u>\$5,432.00</u>

HIGHWAY FUND – TOWNWIDE

<i>Transfer From:</i>	DA5130.2	Machinery Equipment	\$21,978.00
			<u>\$21,978.00</u>

<i>Transfer To:</i>	DA9060.8 Hospital & Medical Ins.	\$ 942.00
	DA9950.9 Interfund Transfer	<u>\$21,036.00</u>
		<u>\$21,978.00</u>

HIGHWAY FUND – OUTSIDE VILLAGE

<i>Transfer From:</i>	UNANTICIPATED REVENUE	
	DB1120 Sales Tax	<u>\$1,053.00</u>
		<u>\$1,053.00</u>

<i>Transfer To:</i>	DA5110.4 General Repairs Contr.	\$ 111.00
	DB9060.8 Hospital & Medical Ins.	<u>\$ 942.00</u>
		<u>\$1,053.00</u>

WATER DISTRICT #2

<i>Transfer From:</i>	SW2-9060.8 Medical Insurance	\$ 602.00
	UNANTICIPATED REVENUE	
	SW2-2140 Metered Sales	\$1,300.00
	SW2-2148 Interest & Penalties	\$ 150.00
	SW2-2414 Rental of Equipment	\$ 435.00
	SW2-914 Unexpended Balance	<u>\$3,843.00</u>
		<u>\$6,330.00</u>

<i>Transfer To:</i>	SW2-8320.41 Source of Supply Contr.	\$ 18.00
	SW2-8320.41 Water Purchase	<u>\$6,312.00</u>
		<u>\$6,330.00</u>

WATER DISTRICT #11

<i>Transfer From:</i>	UNANTICIPATED REVENUE	
	SW11-2140.3 Other District Sales	<u>\$3,456.00</u>
		<u>\$3,456.00</u>

<i>Transfer To:</i>	SW11-8310.4 Admin. Contractual	\$ 246.00
	SW11-8320.4 Source of Supply Contr.	\$ 59.00
	SW11-8320.41 Water Purchase	<u>\$3,151.00</u>
		<u>\$3,456.00</u>

Motion by Bower, Seconded by Miller authorizing Supervisor Morriss to sign the following Intermunicipal Agreement between the Village of Albion, and the Town of Murray: Motion Carried

WHEREAS, the Village has agreed to install meter readers known as end points on the master meter it shared with the Town, so that said meter can be read remotely; and

WHEREAS, the Town and the Village will have equal access to the information disseminated by the End Point reader a data collection system; and

WHEREAS, the Village has contracted with other towns it supplies surplus water to share in the initial charge for the installation, educational, cellular charges and initial contracting fees with the manufacturers and distributor of the remote meter readers; and

WHEREAS, all municipalities will share equally in the initial engagement fee and cost of training to install, operate, and read the remote meter devices; and

WHEREAS, the Village shall be responsible for the ongoing administration of the invoicing, collection, monitoring, and maintenance of the electronic meter readers that are installed on the master meter(s) in the Town; and

WHEREAS, the Town agrees to pay the Village annually for the Town's share of the ongoing charges associated with the End Point system which includes but are not limited to operation, repair of the system and any other miscellaneous charges, said charges will be outlined in a periodic billing format to the Town; and

WHEREAS, the initial charge to install and operate the meter reader will initially be at the expenses of the Village with the Town paying its share of said expense within thirty (30) days of the Town's receipt of an invoice from the Village; and

WHEREAS, the initial costs incurred by the Town will be for its share of the initial engagement fee, training, cost of the meter reader(s) and annual charge of the cellular data collection fee; and

WHEREAS, the Town will pay an initial charge as its share in the engagement fee and training and cost of the meter reader and thereafter would be obligated only to pay its annual share of the cellular data collection fee and maintenance; and

WHEREAS, the Village as administrator of the system will notify the Town of any increases in the recurring charges it incurs on behalf of the Town

within thirty (30) days of when the Village first is made aware of the increase in the recurring charges, and the Town will within sixty (60) days of receiving said notice pay over to the Village the increase in charges as invoiced by the Village; and

WHEREAS, the life of this Agreement will be a period of twenty-four (24) months from the date of its full execution. The agreement will automatically renew for a period of twenty-four (24) months unless either party gives written notice within sixty (60) days of the expiration of the agreement of its intent not to renew. Service of the notice will be by United States Postal Service Return Receipt Requested; and

WHEREAS, the parties hereto mutually agree that with the installation of the electronic meter reading devices both parties will realize a benefit through the improved efficiency of the remote electronic reader, the accuracy of the meters, and the information these readers will periodically provide to the parties individually.

NOW, THEREFORE, in consideration of the mutual promises and covenants herein, the parties hereby agree to as follows:

1. Scope of Services

- The Village will supply the necessary personnel to install, maintain and read the electronic meter reading device(s).

2. The Town agrees to pay the initial charge of \$2,301.48, which is calculated in the following manner:

1/7 of \$3,937.50 =	\$	669.64	- proportional share of engagement fee and training
7 x \$96.12 =	\$	672.84	- cost of yearly cellular fee
7 x \$137.00 =	\$	<u>959.00</u>	- cost of End Point units
		\$2,301.48	

After the initial charge the Town will be solely responsible for ongoing expense of \$672.84 per year for cellular data service plus repair and maintenance of the system.

3. The Town will pay to the Village within thirty (30) days of receipt of said invoice the \$2,301.48 for the initial cost for the system.

4. After the initial charge as set forth above the Town will be charged on an annual basis for the cellular charge per End Point and for the cost of any repairs or replacement of the unit provided by the Village.
5. The municipalities will have access to the information generated by the equipment. Said information will be provided to the requesting party within seven (7) calendar days of a written request. Said information shall not be unreasonably withheld from the requesting party.

Attorney Jeff Martin spoke about the proposed water district. The evening of the informational meeting some of the property owners in the district signed petitions. There is still a ways to go in order to meet the required number of signatures. Hopefully people are out getting signatures.

Lynn Wood spoke briefly regarding the exemption that owners of commercial wind energy and solar energy property are entitled to.

Jeff spoke about the issue of advertising salaries of Town officials. During the budget process, salaries are established and when the Town publishes notice of the preliminary budget the Town is required to indicate those salaries. Any additional or secondary compensation, such as Budget Officer or Water Superintendent does not need to be published per the NYS Controller's Office; only his or her proposed salary for their primary position.

Town Clerk Cindy Oliver reported January receipts of \$306.00 with \$272.00 going into the general fund. Cindy gave the Board a tax collection summary of taxes collected. Since January 1st, the Clerk's office has collected over \$3,000,000.00. Everything has been going smoothly.

Highway & Water

Motion by Hendel, **Seconded** by Bower approving the 2017 Town of Murray Highway Work Agreement **Motion Carried**

The agreement sets aside \$225,000 to be expended for primary work and general repairs on town highways, etc. Permanent improvements include Canal Road commencing at NY 387 and leading to Hulberton Road, Creek Road commencing at NY 387 and leading to NY 104. Balance of budget to be spent on any/all Town roads. The agreement was signed by each member of the Town Board.

The Water Department handled five water breaks in mid-January, all within seven days. Four were corroded hardware, one hydrant, one main line valve and two were tapping saddles. One was a 12" main split lengthwise because

of poor installation on bedrock. These breaks were in water districts no. 4, 6, 7, 12 and 13.

Water billing will be done at the end of March so our work meeting to discuss rules & regulations and to look at water rates should be prior to then if possible.

There has been normal snow, ice and blowing events with normal overtime and salt usage.

Public Comments

Dave Piedmonte said that in the minutes of the November public hearing it was written that the town wide tax rate is down from 3.12 per thousand (2016) to 2.06 per thousand (2017). This is not the rate on his tax bills. He was informed that this was probably a typing error in the minutes. The Board will check it and correct the mistake in the minutes as the correct town wide tax rate is down from 3.12 per thousand to 3.06 per thousand.

Anthony Peone spoke briefly about the number of property maintenance/building codes there are and how many of these deprive him of legitimate use of his property.

Joseph Sidonio asked the Town Board to look at and address the fact of how Highway Superintendent Ed Morgan is still entitled to payment in lieu of health insurance. He believes, an employee retiring for one day constitutes a break in service and should be regarded as a new employee, making him ineligible. Supervisor Morriss said the Board will look into this.

After questioning the employee salary listing, Kerri Neale was informed that at the first meeting of each year, a listing of each job title, every appointment, salary and pay rate of every employee is approved. This listing is always published in the minutes that are on the Town's website for the public to see. Councilman Hendel gave Mr. Neale a copy of the listing for his reference.

Councilman Hendel informed all that 2016 was a good year for economic development with over \$20 million being invested in Orleans County businesses and close to 100 new jobs were formed. He believes that 2017 will be an even better year. Some may ask why most of the development is at the west end of the county but we all benefit from the development no matter where in the county it is.

Councilman Hendel mentioned a possible ballot proposition for the 2017 election where New Yorkers can vote on a constitutional convention. He was

asked where the public can get information regarding this. He will try to find some information for the next meeting.

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

General Fund	Claims 24-53	\$18,816.84
Highway Fund	Claims 15-31	\$33,332.45
Water District No. 1	Claims 2-3	\$319.45
Water District No. 2	Claims 4-7	\$8,660.95
Water District No. 3	NONE	
Water District No. 4	Claims 1-2	\$1,885.88
Water District No. 5	Claim 1	\$718.00
Water District No. 6	Claims 5-10	\$3,746.62
Water District No. 7	Claims 1-2	\$3,541.85
Water District No. 8	Claim 1	\$2,838.01
Water District No. 9	Claim 1	\$796.91
Water District No. 10	Claims 2-3	\$1,158.96
Water District No. 11	Claims 6-11	\$10,447.53
Water District No. 12	Claim 1	\$634.32
Water District No. 13	Claim 1	\$1,448.52
Water District No. 14	NONE	
Water District No. 15	Claims 1-2	\$2,158.50
Water District No. 20	NONE	

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

So adjourned at 7:59 p.m.

Respectfully Submitted,

Cynthia L. Oliver