

**Town of Murray Board Meeting**

June 14, 2016

Present: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Ed Bower and Lloyd Christ, Attorney Jeff Martin, Town Clerk Cindy Oliver, Assessor Lynn Wood, Highway and Water Superintendent Ed Morgan, Legislator John DeFilipps, Louise Passarell, Stan Kemp, Kerri Neale, Tammy Leach, Neil Valentine, Krista Wiley, Sheila Monacelli, Dennis Monacelli, David Piedmonte, Richard Downey

Absent: Councilman Paul Hendel

Pledge to the flag.

Motion by Christ, Seconded by Case approving the meeting minutes with the following correction: that Highway and Water Superintendent Ed Morgan was present at the May 19<sup>th</sup> work meeting Motion Carried

Kerri Neale thanked the Board for taking the weapons ban out of the proposed Workplace Violence Local Law and he hopes that other municipalities will look at the direction of the Town.

Assessor Lynn Wood updated all that fifteen property owners came in for grievance day on May 24<sup>th</sup>. Some didn't have applications although application information is given on the change of assessment letters. Of the fifteen that appeared before the Board of Assessment Review, seven did not get any reduction in assessment. Sales have been slow but the ones that are coming in are considerably above assessed valuation.

Joe Sidonio and Tony Manno entered the meeting.

Code Enforcement Officer Ron Vendetti thanked the Board for reviewing the code book changes. The Planning Board finished their review of it last night, Ron will make the changes so all will have copies with the recommended changes incorporated into it. Ron stated that he has worked for this Town Board for quite some time. He's observed them listen to those present at the meetings, and has never seen a reason where anyone needs to make the Town of Murray such a spectacle with the things that have been said and written. In some cases it's been injurious to people's reputations and he would hope that everyone can work together, not the other way around.

**Old Business**

Reminder that the work meeting is scheduled for June 22<sup>nd</sup> at 6:30 p.m.

Lynn and Louise will be attending a class in Batavia on the 24<sup>th</sup> and will not be in the office that day.

### **New Business**

Jeff Martin went over the items that need to be done regarding the BAN for the new dump truck. The legal notice of estoppel has been published and will expire at midnight tonight. The actual note sale will take place on June 21<sup>st</sup>. The closing is set for June 30<sup>th</sup>. Orrick Herrington & Sutcliffe will prepare the documents and they can be signed. The \$200,000 grant will pay everything but \$12,000 but we cannot get the \$200,000 for approximately eight months. On June 29, 2017 we can pay it off once the grant money is received.

Motion by Bower, Seconded by Case adopting the following resolution:

“RESOLVED, that the Town Board of the Town of Murray hereby accepts the proposal of Municipal Solutions, Inc. dated May 20, 2016 for general financial advisement services to be rendered to the Town of Murray in connection with the purchase and financing of a 2017 Mack 10-Wheel Dump Truck and other matters; and it is further

RESOLVED, that Supervisor Morriss be and he hereby is authorized to execute the proposal for general financial advisement services with Municipal Solutions, Inc. on behalf of the Town of Murray.”

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

The following voted against adoption: none

The following was absent from the meeting: Hendel

The resolution was thereupon declared adopted.

Discussion regarding Water District No. 3, Extension No. 1. Motion by Christ, Seconded by Bower adopting the following SEQR Resolution – Negative Declaration:

WHEREAS,

- 1) In accordance with the New York State Environmental Quality Review regulations (SEQR), the Town Board of the Town of Murray announced its intent to serve as Lead Agency on April 12, 2016, to conduct an environmental review of public water supply improvements within the Water District No. 3, Extension No. 1

service area. The project will ensure a safe and reliable potable water supply and fire protection for area residents and businesses.

- 2) The Town Board has determined that, as the project requires an approval from the NYS Department of Health (NYSDOH), the proposed action is a Type I action as defined by NYSDOH under 10 NYCRR 97.14.
- 3) The Town Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of and potential environmental impact of the action described above.
- 4) On April 13, 2016, the Town Board notified the Involved and Interested Agencies of its intention to act as Lead Agency for this project and circulated Part 1 of the full Environmental Assessment Form. None of the Involved Agencies objected to the Murray Town Board serving as Lead Agency for this project. The Town will obtain all necessary permits and approvals from Involved Agencies and will comply with agency requirements.
- 5) The Town Board has considered the Environmental Record prepared for this action, including any comments received from the Involved Agencies, and the proposed Negative Declaration.

NOW THEREFORE BE IT RESOLVED,

The Town Board of the Town of Murray declares that it will serve as Lead Agency for the water system improvements proposed in Water District No. 3, Extension No. 1; and,

The Town Board declares that, based on the Environmental Record which has been prepared, the project will not result in any large and important impacts, and therefore, will not have a significant adverse impact on the environment. A Negative Declaration under SEQR is therefore issued for this project, and the Town Supervisor is hereby authorized and directed to prepare and issue, on behalf of the Town, the form entitled "Negative Declaration Notice of Determination of Non-Significance."

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

The following voted against adoption: none

The following was absent from the meeting: Hendel

The resolution was thereupon declared adopted.

In regards to proposed local law no. 2 of 2016, the firearms component has been eliminated. A public hearing on this local law can be held before the July Town Board meeting.

Motion by Christ, Seconded by Bower adopting the following resolution:

WHEREAS, on February 9, 2016, proposed Local Law No. 1 of the Year 2016 entitled "A Local Law Enacting a Workplace Violence Prevention Policy for the Town of Murray" was introduced, and a public hearing scheduled for March 9, 2016 at 7:00 PM; and

WHEREAS, the public hearing was held as scheduled, and there was considerable discussion concerning provisions of the proposed local law dealing with the possession of firearms of Town property; and

WHEREAS, the Town Board has elected to modify the proposed local law to eliminate those provisions prohibiting the possession of firearms on Town property, in a Town facility or in a Town vehicle, and Heath & Martin, Attorneys for the Town, have made the requested revision to the original draft of the local law; and

WHEREAS, in May 2016, the Town Board adopted a local law imposing a six-month moratorium on the placement of mobile homes outside mobile home parks in the Town of Murray and that local law was designated as Local Law No. 1 of 2016 for filing purposes; and

WHEREAS, in view of the filing of Local Law No. 1 of 2016 last month, the Workplace Violence Prevention Policy Local Law has been numbered as Local Law No. 2 of 2016;

NOW, THEREFORE, IT IS

"RESOLVED, that the proposed Town of Murray Local Law No. 2 of the year 2016 entitled "A Local Law Enacting a Workplace Violence Prevention Policy for the Town of Murray" is hereby introduced, as revised and renumbered, and a public hearing shall be held on July 12, 2016 at 7:00 PM to consider its adoption; and it is further

RESOLVED, that Heath & Martin shall attend to publishing a legal notice in *The Batavia Daily News* at least five (5) days in advance of such public hearing."

Upon being put to a vote, the following voted in favor of adoption of the resolution: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Edwin Bower and Lloyd Christ.

The following was absent from the meeting: Councilman Paul Hendel

The resolution was thereupon declared adopted.

The Association of Municipalities meeting is on Tuesday, June 28<sup>th</sup>. RSVP yourself or let Cindy know.

**Attorney** Jeff Martin informed all that Local Law No. 1 of 2016 was filed on May 19<sup>th</sup>.

The Zoning Board of Appeals held a public hearing tonight on two area variances. There will be a public hearing for a third area variance in a couple of weeks.

**Town Clerk** reported May receipts totaling \$1,610.35 with \$890.97 going into the general fund.

**Highway and Water Superintendent** Ed Morgan reported that the new truck will be delivered tomorrow.

The original quote Ed received for propane for 2016/2017 was 1.59 but after some negotiation the price is down to 1.399 for up to 9,500 gallons.

The boiler inspection has been done. This inspection is completed every three years. The pressure regulator valve's position needed to be changed as it should be horizontal. Everything else was fine.

Discussion regarding the cost savings by changing light fixtures and bulbs. This change will result in approximately \$902 annually for the outside lighting and approximately \$406 for the inside of the highway building. Motion by Christ, Seconded by Case to take part in the energy saving program and replace the whole light fixtures outside. The payments will be interest free and will be spread over 24 months Motion Carried

As paving costs are down this year, the Highway Dept. will be able to do more road work than expected. At the end of the meeting, Ed would like the Board to enter into an executive session with Attorney Jeff Martin regarding possible litigation.

Discussion regarding mowing. There is \$1,500 in the Code Enforcement budget set aside for mowing. Motion by Christ, Seconded by Case for the Highway Department to be paid \$100 per hour for the mowing of unmaintained properties until the \$1,500 is gone. Any costs exceeding \$1,500 will be paid in January through the property taxes. Motion Carried

### Public Comments

Dave Piedmonte suggested that the Board look into solar energy as a cost savings. He spoke to someone at the county fair regarding this. Supervisor Morriss asked Mr. Piedmonte to provide him with the name of the person he spoke to.

Kerri Neale talked about last month's work meeting and the lack of seating room for everyone. The Open Meeting Law states that organizations have to do their best to accommodate everyone. For the future, consider what can be done to avoid a repeat situation.

Motion by Bower, Seconded by Christ approving the Supervisor's Financial Report and to pay the following bills: Motion Carried

|                       |                |             |
|-----------------------|----------------|-------------|
| General Fund          | Claims 162-193 | \$21,888.19 |
| Highway Fund          | Claims 73-86   | \$12,726.93 |
| Water District No. 1  | Claims 14-15   | \$384.73    |
| Water District No. 2  | Claims 20-22   | \$5,457.89  |
| Water District No. 3  | Claims 19-20   | \$5,446.13  |
| Water District No. 4  | Claims 8-9     | \$97.53     |
| Water District No. 5  | Claim 8        | \$6.01      |
| Water District No. 6  | Claims 30-34   | \$2,851.96  |
| Water District No. 7  | Claim 11       | \$54.05     |
| Water District No. 8  | Claim 9        | \$42.04     |
| Water District No. 9  | Claim 8        | \$12.00     |
| Water District No. 10 | Claims 16-17   | \$20.96     |
| Water District No. 11 | Claims 31-35   | \$5,215.31  |
| Water District No. 12 | Claim 7        | \$12.01     |
| Water District No. 13 | Claim 7        | \$18.01     |
| Water District No. 14 | NONE           | \$0.00      |
| Water District No. 15 | Claim 9        | \$30.02     |
| Water District No. 20 | NONE           | \$0.00      |

Motion by Christ, Seconded by Case to enter into executive session regarding possible litigation Motion Carried

Board entered into executive session at 7:58 p.m.

Motion by Bower, Seconded by Christ to return to regular session with no action taken      Motion Carried

Board returned to regular session at 8:20 p.m.

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

So adjourned at 8:21 p.m.

Respectfully Submitted,

  

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