

**Town of Murray Town Board Meeting**

May 14, 2019

Present: Supervisor Robert Miller, Councilmen Lloyd Christ, Paul Hendel, Michael Mele and Neil Valentine, Town Clerk Cindy Oliver, Attorney Jeff Martin, Assessor Lynn Wood, Assistant to the Assessor Louise Passarell, David Piedmonte, Krista Wiley-Neale, Sandy Shaw, Kellie Gregoire, Shawna Lusk, John Smith, Jocelyn Cervone, Ted Jenney, Mark Gregoire, Joe Sidonio, Art Knab, Attorney Nathan Pace, Fred Case, Tony Manno, Ted Karpenko, Dirk Lammes, Dave Knapp, Alex Salamaca

Pledge to the flag.

Motion by Christ, Seconded by Mele approving the minutes of the April Public Hearing and Board Meeting minutes as submitted Motion Carried

**Assessor**

Real estate prices have gone up for the last two years. Our equalization rate is at 99% based on sales of real property. A few people have come in protest of their assessment and Lynn and Louise have tried to discuss how they arrive at the value. Lynn informed all that each property is evaluated and one of the things the appraisal is based upon is real estate sales.

**Old Business**

Motion by Hendel, Seconded by Christ introducing revised Local Law No. 1 of 2019 entitled *Providing for the Regulation of Special Events at Farms and Wineries in the Town of Murray* Motion Carried

After hearing comments at the public hearing, the proposed local law was revised Jeff Martin and Bob Somers of Ag & Markets spoke and Jeff implemented Bob's suggestions. If the Board is so inclined, they can schedule a public hearing on this proposed local law. Among the revisions; minimum lot frontage and lot area have been eliminated. Portable bathrooms are now allowed in the revised version. Rather than a one-year duration, the special permits are two-year duration and can be renewed by the Zoning Enforcement Officer instead of having to appear in front of the Planning Board. The proposed local law will be forwarded to County Planning. May 30<sup>th</sup> has been set for the public hearing and also tentatively the public hearing for the franchise fee contract with Charter Communications.

**New Business**

Motion by Christ, Seconded by Valentine authorizing Supervisor Miller to execute the proposal from Municipal Solutions, Inc., dated April 22, 2019 for

the provision of general financial services to the Town of Murray for a term of two years, at an hourly rate of \$130.00 Motion Carried

Motion by Hendel, Seconded by Mele appointing Frederick Case as Code Enforcement Officer II Part-Time for the Town of Murray. Fred is also appointed as the Fair Housing Officer for the Town. Fred looks forward to serving the community. Supervisor Miller informed all that Fred's application and qualifications have been reviewed by County Personnel and he meets all requirements for this position. Motion Carried

#### Attorney

Jeff Martin reported that closing has been completed on the Water District 3, Ext. 1 \$456,000 Statutory Installment Bond at an interest rate of 2.625%.

#### Town Clerk

April receipts totaled \$844.10 with 672.24 going into the general fund.

Taxes have been reconciled and all tax collection records and unpaid taxes have been turned over to the County Treasurer's office. 11% of taxes remain unpaid.

Motion by Christ, Seconded by Valentine accepting the Town Clerk's report  
Motion Carried

#### Public Comments

David Paul and his attorney Mr. Rosenbaum were present to discuss the proposed amendment to the zoning law (affordable senior housing district) that they submitted to the Town. Mr. Rosenbaum thinks a senior mobile home community would be a good thing for the community. Many questions were discussed including grown children living with elderly parents, grandchildren living with grandparents, who would police this community, etc. Mr. Paul and Mr. Rosenbaum are willing to work with the Town Board, Planning Board and Attorney for the Town, Jeff Martin to get this moving.

Nathan Pace, Attorney for Tony Manno was present to discuss Mr. Manno's desire to open two independently owned businesses on Route 31 (the south side of the Fancher Road curve); 1) new and used automobile sales and rentals 2) motor vehicle repair and repair for small engine, motor cycles and possibly sales. There are three lots and Mr. Manno has a purchase contract for one and a long-term lease with an option to buy the two remaining lots. Mr. Pace did not have signed agreements on these properties or any drawn plan to be presented this evening but wanted to be open in what Mr. Manno intends to do and that he would like the Town to change the zoning of this area back to business district.

Ted Jenney, President of Kateland Farms stated that the proposed local law regarding events at farms and wineries was negative to the farmer. His attorney advised him to go ahead and host weddings at his barn as his attorney believes they are covered under the Right to Farm Law.

Art Knab asked if the sunken areas from the water line construction will be fixed. He was told that those areas will be fixed but it has been difficult with the rain we've had.

David Piedmonte stated that he was trying to understand the purpose of the proposed local law regarding events at farms and wineries. Jeff Martin said the motivation behind this proposed law was to allow an operation like Mr. Jenney's, which currently is not legally authorized, to operate legally. The Right to Farm Law that was adopted in 2001 has to do with more traditional farming operations; cultivation, raising crops, livestock, stables, horse boarding, etc. It has nothing to do with weddings and special events.

Joe Sidonio encouraged the Town Board to take advantage of the Town's Planning Board member who is on the Town's Agricultural Advisory Committee. Mr. Sidonio's wife is also on the NYS Ag. Advisory Committee to the Governor. Why not take advantage of discussing this with her. Mr. Sidonio asked if the Town would be willing to write a letter stating that Hurd Orchards is exempt from this law. He was told there is no reason for a letter stating that Hurd Orchards is exempt from a law that does not at all apply to them.

#### New Business

Motion by Christ, Seconded by Valentine appointing Roger Passarell, Jr. to the Town Planning Board. Roger will fill the vacancy left by Elaine Berg. The term will expire 12/31/2021. Motion Carried

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

General Fund	\$43,205.47
Highway Fund	\$52,852.12
Water District No. 1	\$403.56
Water District No. 2	\$11,600.38
Water District No. 3	\$962.58
Water District No. 4	\$2,070.55
Water District No. 5	\$1,000.39
Water District No. 6	\$3,576.97
Water District No. 7	\$8,148.56
Water District No. 8	\$3,840.37

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Water District No. 9	\$1,367.10
Water District No. 10	\$2,110.70
Water District No. 11	\$20,265.31
Water District No. 12	\$1,738.69
Water District No. 13	\$1,965.47
Water District No. 14	\$2,951.20
Water District No. 15	\$3,978.93
Water District No. 16	\$322.23
Water District No. 20	\$1,113.30

Motion by Hendel, Seconded by Christ to enter into executive session to discuss pending litigation Motion Carried

Board entered into executive session at 8:47 p.m.

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

Motion by Christ, Seconded by Mele that the meeting be adjourned  
Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver