

Murray Town Board Meeting

December 20, 2021

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower, Lloyd Christ, Paul Hendel and Michael Mele, Town Clerk Cindy Oliver, Highway & Water Superintendent Dirk Lammes, Attorney John Sansone, Assessor Assistant Lynn Wood, William Moroz, Elaine Berg, Dave Knapp, John Fitzak, Louise Passarell, Art Knab

Meeting called to order at 7:00 p.m.

Moment of silence and pledge of allegiance.

Motion by Mele, Seconded by Christ approving the minutes of the November 15th public hearing and Town Board meeting minutes as submitted Motion Carried

Motion by Bower, Seconded by Christ approving the minutes of the December 1st public hearing and Town Board work meeting as submitted Motion Carried

Motion by Christ, Seconded by Mele approving the minutes of the December 11th work meeting as submitted Motion Carried

Town Clerk

November receipts totaled \$2,098.80 with \$860.62 going into the general fund. Tax bills are being prepared for mailing. They will be sent out on December 30th. It will be a busy couple months for the office.

Assessor's Office

Tax wise, the town has done what we can on our end regarding the Odd Fellows Hall. Lynn wished all a Merry Christmas.

Highway and Water

Councilman Hendel told Dirk that the lights on the flag pole in front of the Town Hall look great. The department is prepared for the winter. Two trucks were down but one is back now. One is still at Beam Mac with exhaust system issues.

The water department repaired another leak on E. Transit Church and Hindsburg Road and there is a new service on Route 237. Councilman Mele asked how the inventory for parts is considering the delivery delays. Dirk said they have been rationing parts; bolts, meters but the Board should know it could become an issue. He has been ordering parts in case they take months to be delivered.

Code Enforcement

A written report was submitted. Five building permits were issued since last meeting. Chad is working with Orleans County Mental Health to rectify a resident's occupancy issue. He is also working with NYS Ag. & Markets to rectify the issue at the corner of N. Main St. Rd. and Lynch Rd.

Motion by Hendel, Seconded by Bower accepting the Code Enforcement report
Motion Carried

New Business

All reviewed Part II of SEQRA for the Comprehensive Plan.

STATE ENVIRONMENTAL QUALITY REVIEW ACT RESOLUTION FOR ISSUING A
NEGATIVE DECLARATION OF ENVIRONMENTAL SIGNIFICANCE REGARDING THE
ADOPTION OF A COMPREHENSIVE PLAN

At a regular meeting of the Murray Town Board held on December 20, 2021, Councilman Paul Hendel moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

WHEREAS, the Murray Town Board (the "Board") has determined that the adoption of The Town of Murray Comprehensive Plan (the "Plan") is a Type I Action pursuant to the State Environmental Quality Review Act ("SEQRA") and that the Murray Town Board is the only involved agency for the SEQRA process; and

WHEREAS, the Murray Town Board caused a Full Environmental Assessment Form to be prepared for assessing the potential environmental impacts that may result from the adoption of the Plan; and,

WHEREAS, the Murray Town Board has reviewed and considered Part 1 of the Full Environmental Assessment Form, public comments and environmental record concerning the Plan, as well as completed the applicable Parts 2 and 3 of the Full Environmental Assessment Form and identified no significant adverse impacts;

NOW, THEREFORE BE IT RESOLVED, that no potential significant adverse environmental impacts were identified with the proposed adoption of the Murray Comprehensive Plan using the criteria for determining significance identified in 6 NYCRR §617.7(c)(2) and (3), and the Murray Town Board hereby finds and concludes that the Proposed Action will not present a potential significant adverse environmental impact and hereby issues a Negative Declaration; and,

BE IT FURTHER RESOLVED, that the Supervisor is directed to sign the Determination of Significance to indicate the issuance of a Negative Declaration; and,

BE IT FURTHER RESOLVED, that copies of this Resolution and notice of the Negative Declaration as adopted by the Town Board be filed, published and circulated to the extent required by any applicable ordinance, statute or regulation, including publication in NYSDEC's Environmental Notice Bulletin as well as provided to the Town Engineer, and the Town Clerk.

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

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon adopted.

RESOLUTION TO ADOPT THE COMPREHENSIVE PLAN

At a regular meeting of the Murray Town Board held on December 20, 2021, Councilman Randall Bower moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

WHEREAS:

1. The Murray Town Board established an advisory committee to prepare an updated Comprehensive Plan, and the committee worked with LaBella Associates to develop an updated draft Comprehensive Plan; and
2. The advisory held a public hearing on the draft updated Comprehensive Plan in the Town of Murray Planning Board for review and comment; and
3. The Murray Town Board received the draft Comprehensive Plan on December 14, 2020 and has, after careful study, considered the proposed document entitled Town of Murray Comprehensive Plan; and
4. The Murray Town Board has considered comments made by the public and interested agencies at the Public Hearing held on February 8, 2021; and
5. The Murray Town Board has previously referred the draft Comprehensive Plan to the Orleans County Department of Planning and Development pursuant to General Municipal Law Section 239m and received comments in response to the referral December 9, 2020; and
6. Pursuant to the State Environmental Quality Review Act (SEQRA) regulations, the Murray Town Board, as lead agency, has completed the Environmental Review Record on the

proposed adoption and maintenance of said document and issued a Negative Declaration of environmental significance on February 8, 2021; and

- 7. The Murray Town Board acknowledges that the adoption of said Comprehensive Plan is a plan for guiding growth and development in the Town of Murray and, as such, will require periodic maintenance to keep the document viable; and
- 8. The Murray Town Board has carefully considered the impacts associated with the Plan adoption, as well as comments on the draft Comprehensive Plan submitted to the Town Planning Board and the public, and finds that said Plan constitutes a suitable, logical and timely strategy for the future development and preservation of the Town of Murray; and
- 9. The Murray Town Board acknowledges and hereby gives public notice that official copies of the Comprehensive Plan and all modifications thereof shall be on file in the Office of the Murray Town Clerk;

NOW THEREFORE, BE IT RESOLVED, that the document consisting of text, maps and charts entitled Town of Murray Comprehensive Plan, dated November., 2021 is hereby adopted as the Comprehensive Plan for the Town of Murray, Orleans County, New York in accordance with Section 272-a of the New York State Law.

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

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon adopted.

All reviewed Part II of SEQRA for Zoning Law.

SEQRA NEGATIVE DECLARATION FOR THE REPEAL OF THE TOWN’S ZONING ORDINANCE AND ADOPTION OF THE MURRAY ZONING REGULATIONS AND THE ZONING MAP BY LOCAL LAW

At a regular meeting of the Murray Town Board held on December 20, 2021, Councilman Paul Hendel moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS, the Town Board of the Town of Murray (“Town Board”) proposes to enact a Local Law to adopt zoning regulations and repeal the existing Zoning Ordinance, including repeal of the existing zoning map and adoption of a new zoning map (“Action”); and,

WHEREAS, the Town Board considered the recommendations of the Zoning Advisory Committee and the draft zoning text and map prepared by LaBella Associates and the Advisory Committee; and

WHEREAS, the Town Board finds that the Proposed Action is Type I pursuant to the New York State Environmental Quality Review Act (“SEQRA”); and,

WHEREAS, the Town Board is the only Involved Agency; and,

WHEREAS, the Town Board has comprehensively reviewed Part 1 of the Environmental Assessment Form and environmental record concerning the Proposed Action, as well as completed the applicable Parts 2 and 3 of the Environmental Assessment Form;

NOW, THEREFORE BE IT RESOLVED, that as indicated in the attached Negative Declaration of Environmental Significance, using the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3), no potential significant adverse environmental impacts were identified with this Action, and the Town Board hereby finds and concludes that the Proposed Action will not present a potential significant adverse environmental impact and hereby issues a Negative Declaration for the Proposed Action pursuant to SEQRA; and be it further;

RESOLVED, that the Town Board’s adoption of the Negative Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law of the State of New York and implemented under 6 N.Y.C.R.R. Part 617; and it is further

RESOLVED, that copies of this Resolution and notice of the Negative Declaration as adopted by the Town Board be filed, published and circulated to the extent required by any applicable ordinance, statute or regulation, including publication in NYSDEC’s Environmental Notice Bulletin as well as provided to the Town Clerk.

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

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon adopted.

Supervisor Sidonio asked for a motion to change health care plan from Univera Gold 1 to Independent Health Direct Gold for the 2022 plan year. Brief discussion. Supervisor stated it is a very similar plan to the current plan and saves the town \$9,400 per year. He has discussed it with some of the employees and brought in a consultant. Only Supervisor Sidonio and Councilman Christ are in agreement to change plans.

Motion by Hendel, Seconded by Bower accepting the resignation of Edward Downey as member and Chairman of the Zoning Board of Appeals effective December 31, 2021

Motion Carried

Motion by Christ, Seconded by accepting the resignation of Chad Fabry as Code Enforcement Officer effective December 31, 2021 Motion Carried

Motion by Bower, Seconded by Hendel appointing Mylynda Kuba as Town of Murray Code Enforcement Officer effective January 1, 2022 through December 31, 2022 with a 6-month probationary period to expire June 30, 2022 Motion Carried

Motion by Hendel, Seconded by Bower approving the reimbursement for an incorrect amount for Health Savings Plan Motion Carried

We received one bid for a 2021 Chevy 6500 plow truck.

RESOLUTION AUTHORIZING PAYMENT FOR THE PURCHASE OF A CHEVROLET
6500 TRUCK

Councilman Paul Hendel moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

WHEREAS, only one bid was received relative to the purchase of a 2021 Chevrolet 6500 for the Town of Murray Highway Department; and,

WHEREAS, the purchase price is \$76,500.64; and,

NOW, BE IT RESOLVED that the Town of Murray Board approves payment in the amount of \$76,500.64 from DA Highway fund to Dave Hallman Chevrolet.

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

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon declared adopted.

As Attorney John Sansone’s term/appointment expires on December 31, 2021, he is resigning as he no longer has time enough time to devote to the Town. He said it has been his pleasure to serve the Town Board.

Councilman Lloyd Christ moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

RESOLVED, that the Town Board of the Town of Murray hereby appoints the law firm of Underberg and Kessler as Attorney for the Town, excluding services for Planning and Zoning, at a rate of \$1,000 per month, effective January 1, 2022.

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

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon adopted.

Councilman Paul Hendel moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

RESOLVED, that the Town Board of the Town of Murray authorizes a 3% pay increase for all Town of Murray non-elected employees beginning January 1, 2022.

After being put to a roll call vote, the vote was as follows:

Ayes	5	Bower, Christ, Hendel, Mele, Sidonio
Nays	0	

The resolution was thereupon adopted.

Old Business

Regarding Community Action’s request for a donation from the Town, we would need an agreement to legally donate. Also given that there are no specifics as to what the funds would be used for, the Town cannot agree to donate. It would be up to Community Action to draw up an agreement. All are in agreement to look into what we can do to help, both as a board and individually.

Public Comments

Elaine Berg stated that Monroe County was provided with rapid tests for residents. Has the town been notified that Orleans County will be doing the same? The town has not been informed of any rapid tests being given out. Elaine said it is frustrating, especially with our county’s high infection rate. Supervisor will contact the health department to check.

Louise Passarell stated that she still has not received an answer to her harassment complaint. It is disappointing considering this is a serious charge. It is also very unfortunate that the town has lost so many good employees over the last two years. She also stated that she is happy that the

employees will be getting a raise, they deserve it. Attorney Sansone told Louise that it is his fault that there is not an answer to her harassment complaint and he will have it completed by tomorrow.

Motion by Christ, Seconded by Bower to approve the Supervisor’s financial report and that the following bills be paid: Supervisor Sidonio abstained from the vote as he has not reviewed the bills. Motion Carried

General Fund	\$28,659.29
Highway Fund	\$11,002.16
Water Fund	\$25,299.02

Motion by Hendel, Seconded by Christ to adjourn the meeting at 7:47 p.m. Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver