

TOWN OF MURRAY BOARD MEETING

May 16, 2022

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower, Lloyd Christ, Paul Hendel and Michael Mele, Town Clerk Cindy Oliver, Town Justices Ted Spada and Gary Passarell, Code Enforcement Officer Mylynda Kuba, Legislator John Fitzak, Scott Underwood, Roy Bubb, Sheila Monacelli, Dennis Monacelli, Elizabeth Passarell, Louise Passarell, Tony Manno, William Moroz, Nicole Blue, Dave Knapp, Tom Rivers, J. Lipson, Elaine Berg, Sandy Shaw, Donna Smith, Gerry Rightmyer, Michael Vinca, David Piedmonte, Valerie Mauro, Lori Passarell, Jim Johnson, Mark Taylor, Tony Peone, Amy Machamer, Tammy Leach, David Leach, Kerri Neale, Krista Wiley (others were present but names were unreadable on sign-in sheet)

Moment of silence followed by the pledge to the American Flag.

Motion by Mele, Seconded by Bower approving the March 2022 meeting minutes as submitted
Motion Carried

Motion by Christ, Seconded by Bower approving the April 2022 meeting minutes as submitted
Motion Carried

Town Justice Spada and Town Justice Passarell were present to give an analysis and presentation regarding the proposed district court. A letter was submitted by the Magistrates Association of Orleans County that states the association, and court clerks oppose the dissolution of all town courts and are opposed to the creation of any District Court within Orleans County. A power point presentation was given reviewing potential issues and the costs.

Recommendations for vacancies on various boards were given by Councilman Mele.

RESOLUTION 2022-20

At a regular meeting of the Murray Town Board held on May 16, 2022, the following resolution was moved, seconded and duly adopted.

BE IT RESOLVED that the following residents are hereby appointed to fill vacancies on each board listed:

John Rich is appointed to the Town of Murray Board of Assessment Review to fill the vacancy left by Virginia Hendel.

Scott Lang is appointed to the Town of Murray Planning Board to fill the vacancy left by Chad Fabry.

Daniel Seeler is appointed to the Town of Murray Zoning Board of Appeals to fill the vacancy left by Ed Downey.

Town Clerk

April receipts totaled \$1,183.80 with \$567.12 going into the general fund.

It has been a busy couple of months with learning the new water program. It is going well but there is still much to learn. The changeover of bookkeepers has been a bit of a challenge. We have had to re-learn the accounting system that EFPR uses and a lot of time has been spent providing EFPR with information. I am now printing the checks when the board gives approval for payment of bills. Shelby Bennett said it should be myself or the Supervisor transferring the funds to pay bills once they're approved. Cindy doesn't have a problem doing it as she already transfers the funds for payroll but she'd like to have something in writing from the Board stating she has the authority to transfer funds to pay the monthly bills.

We have also had the auditors at the Town Hall for four days. Those days are almost totally devoted to answering their questions and supplying them with any documents and/or records they request.

Tax collection ended April 30th. In total we collected \$3,701,118.90 which totals 91%. The unpaid tax bills were sent to the county and totaled \$363,996.85. I wrote a \$8,254.76 check to the Supervisor for penalties we collected.

Cindy reminded all that the Board needs to reach out to the Snyder's regarding the Transit Cemetery. Cindy will give their contact information after the meeting.

RESOLUTION 2022-021

At a regular meeting of the Murray Town Board held on May 16, 2022, the following resolution was moved, seconded and duly adopted.

WHEREAS, at each monthly meeting of the Murray Town Board, monthly bills are reviewed and approved for payment; and

WHEREAS, in order for the approved bills to be paid, funds must be transferred from the Town of Murray Savings account to the Town of Murray Checking Account;

NOW, THEREFORE, IT IS

RESOLVED, that the Town Supervisor and Town Clerk are hereby authorized to transfer funds from the Town savings account to the Town checking account to cover the payment of approved Town monthly bills.

Supervisor Sidonio stated that a meeting with the Board, Sandy Creek Cemetery and Transit Cemetery will be set up in the near future.

Assessor

Written report submitted by Stephanie. The Board of Assessment Review meets on May 24th from 4:00 p.m. until 8:00 p.m.

Stephanie asked the Board for authorization to attend the NYS Assessor’s Association Cornell Training at a cost not to exceed \$1,500.

The Board stated she is authorized to attend as it is Town policy to allow officials to attend training at Town expense.

Highway and Water

Dirk stated there is not much to report at the moment. Things have been running smoothly and all involved have been busy learning the new water billing system.

Code Enforcement

Building Permits	3
Special Use Permits	Sam & Sons under review
Site Plan Review	Sam & Sons under review
County Planning Board Referrals	Sam & Sons approved w/ conditions
Fire Inspections	2
Building Inspections	6
Certificate of Compliance	1
Violations	3

The office is finishing up fire inspections for the year 2022. The next project will be to look back at all open 2021 building permits and reach out to residents/businesses to see if projects are completed and then issue certificates of compliance. Many residents are unaware of the process of closing out their permits and receiving a certificate of compliance.

The Planning Board will be reviewing the Solar Law on May 17th and will be giving the Town Board their comments as to what they feel is important to have in our law.

Mylynda submitted a quote from V2D, LLC for a laptop for the office totaling \$849.95.

RESOLUTION 2022-022

At a regular meeting of the Murray Town Board held on May 16, 2022, the following resolution was moved, seconded and duly adopted.

BE IT RESOLVED, that the Town Board approves the purchase of a refurbished HP Laptop ProBook 650 G2 for the Code Enforcement/Zoning and Planning office which includes 8GB Memory, 256GB SSD, Intel HD Graphics 520, 15.6” 1920x1080 display, Webcam, Windows 10 Pro 64-bit, Microsoft Office 2019 Home & Business (Word, Powerpoint, Excel, Outlook), at a total cost of \$849.95

New Business

RESOLUTION 2022-023

At a regular meeting of the Murray Town Board held on May 16, 2022, Councilman Michael Mele moved the adoption of the following resolution; Councilman Randall Bower seconded the motion:

BE IT RESOLVED, that the Town Board of the Town of Murray authorizes the expenditure of Highway Monies totaling \$235,000 for the year 2022 pursuant to Section 284 of Highway Law.

After being put to a vote, the resolution was thereupon duly adopted.

RESOLUTION 2022-024

At a regular meeting of the Murray Town Board held on May 16, 2022, Councilman Randall Bower moved the adoption of the following resolution; Councilman Paul Hendel seconded the motion:

RESOLVED, that the Town Board of the Town of Murray approves the five-year contract for Highway shared services which commences on May 1, 2022 and terminates on April 30, 2027; and

BE IT FURTHER RESOLVED, that the Town Supervisor and Town Highway Superintendent are hereby authorized to sign said contract.

After being put to a vote, the resolution was thereupon duly adopted.

RESOLUTION 2022-025

At a meeting of the Murray Town Board held on May 16, 2022, Councilman Michael Mele moved adoption of the following resolution; Councilman Randall Bower seconded the motion:

BE IT RESOLVED, that the Town Board of the Town of Murray rescinds Resolution 2022-019, accepting the NCL Government Capital financing proposal.

Upon being put to a vote, the resolution was thereupon duly adopted.

RESOLUTION 2022-026

At a meeting of the Murray Town Board held on May 16, 2022, Councilman Lloyd Christ moved adoption of the following resolution; Councilman Paul Hendel seconded the motion:

IT IS RESOLVED, that the Town Board of the Town of Murray approves and authorizes the expenditure of \$119,000 to purchase (1) new Case H040705 580SN loader backhoe with 92” front bucket and 24” rear bucket.

Upon being put to a vote, the resolution was thereupon duly adopted.

Old Business

Supervisor Sidonio asked the Board's opinion regarding a Town Investment Policy. All are in agreement to look into this further. Supervisor Sidonio will meet with the bank to see what they have available.

RESOLUTION 2022-027

At a meeting of the Murray Town Board held on May 16, 2022, Councilman Paul Hendel moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS, The United States Military is the most advanced and effective military in modern times, and as such, one of the most respected military operations on the planet.

WHEREAS, the Marine Corp recently relieved a Two Star Major General (Stephen M. Neary) from his command. For the record, this Commanding Major General was responsible for all of the Marine Corp forces in Europe and Africa. Certainly, a very powerful man. He was relieved from his command for the use of the "N" word at an outdoor physical training event.

WHEREAS, the most powerful and most respected military unit in the world took swift and immediate action against a powerful commanding officer in their ranks for his use of racial slurs. According to the Marines, "appropriate actions will be taken regardless of rank". They further stated that removing him from his command was due to "loss of trust and confidence in his ability to serve in command". And yet, when our Supervisor uses the same hateful racial language, multiple times, all we get is a superficial, semi-meaningless apology in the local news. Sure he's sorry – sorry he got caught.

WHEREAS, in light of the most recent racially motivated hate crime perpetrated in Buffalo, how can anyone tolerate an elected leader who sees no wrong in using racial slurs on a regular basis. If you don't mean racial slurs, if you don't use racial slurs, then you wouldn't say racial slurs!

WHEREAS, when you consider the military's intolerance for the use of racial slurs by its troops, then why should the citizens of this great town tolerate and support the same type of behavior from our Supervisor? In addition, who can support the manner in which Mr. Sidonio demeans women by calling our Town Clerk Mrs. Oliver, or Justice Clerk Mrs. Spada "F...ing" "C...s", and other individuals who are working or have worked for the Town. Who can support the superior attitude he displays in an effort to demoralize our hard-working highway/water staff by using homophobic slurs or threatening violence? And dare we forget his major indiscretion of violating the rules of confidentiality by sharing information that was discussed during our executive sessions? Not once, not twice, but multiple times.

WHEREAS, some want to make this about politics. Nothing could be further from the truth. This is about Leadership. Leaders should be held to a higher standard. Leaders should set the standard for the kinds of behaviors and attitudes that are acceptable in the community. Leaders

work for the good of all people within the community and treat everyone with respect and tolerance. There is no place in the Town of Murray or Orleans County for the behavior of our current leader.

BE IT RESOLVED, that I, Councilman Paul Hendel once again, for the good of all our citizens, make a motion demanding Mr. Sidonio immediately resign his position as Town Supervisor and allow this community to move forward under the good name we once had.

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

Ayes	3	Bower, Christ, Hendel
Nays	1	Sidonio
Abstain	1	Mele

The resolution was thereupon duly adopted.

Supervisor Sidonio stated the motion is noted; however, a Town Board cannot initiate an action to remove an elected official.

Supervisor Sidonio read a text message of support that he received from a town employee. He stated that there are many people in this town hall that like him and work well with him and also throughout the county. He calls on this board to represent all of the people. Yes, he used inappropriate language in a private conversation and for that he is sorry but he thinks the board should represent not only the people within this town hall but the people outside.

Councilman Bower stated that from what he heard, he will never support a racist. Mr. Sidonio stated he is not a racist. Councilman Bower said from what he listened to; he would disagree with that. Tigers don't change their stripes; you can apologize all you want but you said what you said. You said the derogatory remarks about the women. If the public could just hear the demeanor and the tone of your voice and how you said these things, they'd be disgusted.

Public Comment

An unknown attendee said men have private conversations amongst themselves and say stupid things. That this was recorded and broadcast to people is a sham. Among the things complained about were nothing being done about a gentleman stealing town water or buying stolen diesel fuel, a career criminal who is involved in town stuff, intimidation tactics.

Ron Vendetti is unhappy that his name was mentioned in Councilman Hendel's resolution asking for the Supervisor's resignation. He thinks everyone on the board should resign. Ron spoke about the situation with his removal as Code Enforcement Officer and that the Board should have known better than to do what they did, knowing it would have a negative impact on the town. Mr. Sidonio may have said some stupid things but from day one, none of the board would work with him. Last meeting is an example of this, by paying the bills and ending the meeting. The whole board needs to do their job.

Mr. Vendetti told Supervisor Sidonio that it is a lie about Councilman Christ stealing water. His water meter and back flow preventor were on that hose the whole time. They were in the wrong place, but they were there. If you're going to pick on someone, at least be honest about it. Ron said the bottom line is stop the fighting and do your jobs.

Anthony Peone asked if any Councilmen went to the Appellate Division of the Supreme Court and filed a petition to have Mr. Sidonio removed from office? There is a procedure, so either do it or not.

Louise Passarell said to have a grown man leading our town that body shames, makes jokes about people with disabilities, harasses, bullies, that uses the "N" word should not be a leader of our town. It is disgraceful and embarrassing. She stated that this Board did work with this man for a long time but he kept harassing and telling lies about the people here to professionals and other people we work with. Ms. Passarell said she didn't like him when he started working here, but she worked with him, sat down at meetings with him and discussed many things with him until his harassment continued. It is disturbing that anyone would support this. This is not just one conversation, but multiple conversations over many months; that's the real Joe.

Donna Smith stated that she cannot address the ins and outs about everything people have brought up tonight but she would like to address the tape that was made of Joe's conversation. She would be stunned to believe that anybody in this room, in a private conversation didn't use foul language or call people names to someone that they thought was a friend. She uses foul language at home by myself and occasionally with people I trust to describe people or to describe how she feels. But to have that conversation taped unbeknownst to Joe and for it to be used as someone's personal agenda and to have those transcripts sent to a publication so that everybody can read the private conversation is despicable. She understands it is something very sensitive, people using the "N" word. She doesn't like or use that word or the "C" word but a private conversation should stay private. She has known Joe a long time and he made a mistake and is sorry.

Cindy Oliver stated that she understands that we all say bad things in private but there is nobody in this room that has been fairer to Mr. Sidonio than she has been from day one. Although she knew the horrible things he said about her, she was still decent to him and is to this day. To hear the things he called me and the things he said about me was disgusting. She doesn't even feel comfortable being here anymore.

Tammy Leach has known Joe for about 15 years and has had many conversations with him. She cannot speak to what he says here because she is not here on a daily basis. People are saying he speaks like this on a regular basis but in all the conversations she has had with him, he has always been a gentleman and someone who is considerate. She is not saying that he doesn't have other facets of his personality. She has other facets of her personality and if she let us know them, you'd be afraid of her. Things are said in the heat of anger. Think about yourselves and the things you've said and then when you feel you are in a position to judge, go ahead and judge, this woman will not be judging anybody.

Elizabeth Passarell said everyone is concerned about private conversations. Mr. Sidonio has gone into executive sessions and had confidential conversations with the board and he brought them

outside. If you think that is fair, then everything is fair. And for him calling my daughters names, he is a disgusting human being. He didn't say it once, but many times. He has talked about disabled people and fat people. The conversations were unbelievable.

Supervisor Sidonio stated that regarding the executive session issue, our Town's executive session policy is defunct in its entirety because the information in executive session that may be shared through email automatically goes to one of our board members' wife's e-mail. So structurally, our executive session procedure is defunct.

Jim Johnson told the board if they have a grievance with Joe, why not take it into executive session and work out your differences instead of attacking him and his family. You've done everything you can to demean him since he ran for office. He sees it and everyone else sees it. As far as his language, Mr. Johnson is a Vietnam Veteran and he said they use sulky language. He doubts Councilman Hendel was ever a veteran and for him to bring up the Marine Corp like that is a disgrace. Councilman Hendel thanked Mr. Johnson for his service.

Amy Machamer, Joe Sidonio's wife and she has known Joe longer than any person in this room or in the Town of Murray. Your supervisor was elected fairly and is a person who goes out of his way to help the people that he sees are in need, of every walk of life. His mission in being the supervisor is to make a beautiful community. In one of the ways he wanted to make a beautiful community was that he saw there was injustice coming from this building and that injustice was that not all people were treated the same in this room. One of the things she is so proud of him about is that he has opened the door and brought to the table a wide variety of people who never had a voice. Addressing Councilman Hendel, Ms. Machamer said she received an e-mail from him in 2010, that probably wouldn't be very popular if she showed it to people. You should be very careful of who you accuse including women, or being unethical or having parts of your life or parts of what you might have been involved in. She doesn't know if it is true or not but she received this email from Councilman Hendel at the end of the comprehensive plan in 2010 that he would not be proud of and she brought it to his attention. Mr. Hendel stated he remembers it well and Ms. Machamer said he answered her with one sentence and that it was a computer virus, right Paul? Councilman Hendel said yes. Ms. Machamer said perhaps it was, she's just saying what goes out in public, goes out in public. She wants him to be not quite so proud of himself.

Ms. Machamer said she owns a small business with her mother own a small business called Hurd Orchards that is located on Ridge Road. They have a simple farm stand that they've invested their whole lives in. On the day before Easter, an individual on the Town Board approached Joe and we had a long conversation. He stated that as a friend, you don't want to have what's going to happen, happen to you; media, black lives matter protesting at your business Amy. She asked what her business has to do with town politics. That was a line that was crossed because in this room there are people who are willing to go after innocent businesses and individuals. When asked who sent this individual there to speak to him the answer was the town board. They want you to resign, and if you do, it all goes away.

Councilman Christ stated that Mr. Sidonio accused him of stealing water a few years ago when he was irrigating a cabbage lot. When he approached Mr. Sidonio about it, Mr. Sidonio said he was out being a community watch dog and that the State Trooper drove by and stopped. Although he

wouldn't give his name, the Trooper took his plate number. Councilman Christ brought the meter to the Highway Dept. and decided to go to the State Troopers in Albion and they informed Councilman Christ that Mr. Sidonio called them and asked them to come down because a someone was stealing water. Councilman Christ has the receipt that he paid for the water and he has a written statement from the State Trooper. Mr. Sidonio asked to have a copy of that because he has the statement also and it doesn't match Councilman Christ's testimony today.

Supervisor Sidonio regrets the use of his language in a private conversation. When he ran for public office, he also accepted the humility that comes with the office. He has committed no crime. He used unsavory language and for that he apologizes. He will not be resigning.

Motion by Mele, Seconded by Hendel that the following bills be approved and paid:
Motion Carried

General Fund	\$43,892.51
Highway Fund	\$24,409.40
Water District No. 1	\$1,144.78
Water District No. 2	\$6,938.01
Water District No. 3	\$3,273.07
Water District No. 4	\$821.48
Water District No. 5	\$540.47
Water District No. 6	\$5,796.11
Water District No. 7	\$4,390.83
Water District No. 8	\$2,066.03
Water District No. 9	\$1,132.54
Water District No. 10	\$1,454.73
Water District No. 11	\$7,787.54
Water District No. 12	\$884.44
Water District No. 13	\$1,536.37
Water District No. 14	\$345.00
Water District No. 15	\$2,244.13
Water District No. 16	\$563.25
Water District No. 20	\$1,422.26
Street Lighting	\$1,434.39

Motion by Bower, Seconded by Mele to adjourn the meeting at 8:35 p.m.
Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver