

**MURRAY TOWN BOARD MEETING**

July 18, 2022

Present: Supervisor Joseph Sidonio, Councilmen Lloyd Christ, Paul Hendel and Michael Mele, Town Clerk Cindy Oliver, Town Justice Ted Spada, Town Justice Gary Passarell, Dave Knapp, Legislator Ed Morgan, Dave Piedmonte, Donna Smith, Brian Fauci, Wayne Fauci, William Moroz, Elaine Berg, Legislator John Fitzak, Amy Machamer, Tamara and David Leach, Jeff and Luann Lipson

Absent: Councilman Randall Bower

Moment of silence and pledge to the American Flag.

Motion by Mele, Seconded by Sidonio approving the minutes of the June 2022 Town Board meeting as submitted Motion Carried

Councilman Hendel would like noted that he was not present for the June 2022 meeting.

Both Murray Town Justices gave a brief presentation regarding the Town possibly operating under one Town Justice. Justice Spada went through a power point presentation. The work load could be easily done by one Justice as cases have declined. Supervisor Sidonio stated if this is something the board is interested in doing, we should engage our attorney to confirm the path forward.

Councilman Mele spoke to our Historian and she is in the process of gathering records for transport to the Town Hall. When she is finished, she will let us know and perhaps someone from the Town could pick them up.

**TOWN CLERK**

Receipts for June totaled \$1,051.80 with \$816.84 going into the general fund.

In January 2021 we received a request from John Bingham, representing Big Guys Camping for the Town to waive the 30-day notice in order for them to apply for their liquor license for the restaurant. John Sansone advised us it was fine to do so. Last week I received a request from Mr. Bingham who represents K&H Perry Associates, LLC/d/b/a Destination Bar & Grill to waive the 30-day notice so he can submit their application to the state.

**RESOLUTION 2022-033**

At a meeting of the Murray Town Board, held on July 18, 2022, Councilman Michael Mele moved adoption of the following resolution; Councilman Paul Hendel seconded the motion:

BE IT RESOLVED, that the Town Board of the Town of Murray hereby waives the 30-day notice for K&H Perry Associates, LLC/d/b/a Destination Bar & Grill in order to expedite their liquor license application.

BE IT FURTHER RESOLVED, that the Town Board of the Town of Murray authorizes the Town Clerk to issue a letter of no objection to waive the 30-day notice.

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

CODE ENFORCEMENT/ZONING

Written report submitted. Eight building permits were issued. One pre-submission review (Dollar General – 17054 Brockport Holley Rd). Fifteen building inspections were completed. Four certificates of occupancy were issued. One certificate of compliance was issued and two complaints were received.

CODE ENFORCEMENT

- Big Guys Campground has officially opened.
- Dollar General has a pre-submission with the Planning Board in July and will be back in August.
- Code Enforcement office is working with Amherst Alarm on our security system. We will be going with an analog system so the town can get rid of any landlines; this system will run with our current phone system. The cost of monitoring will be \$461 annually and the analog system cost is \$295.
- Many residents have called with concerns about high grass at properties and they have all been addressed.
- It's the busy season with many inspections and building permits issued this month.
- Solar Laws – attending workshops with the Planning Board members.
- Received numerous phone calls and questions about why the Town Board is not having their meetings on line.

ZONING BOARD OF APPEALS

There were no appeals to the Zoning Board in July.

PLANNING BOARD

- The Planning Board received comments from our town engineer about Sam & Sons project. The applicant's engineer contacted Water Superintendent, Dirk Lammes about some comments they need to address.
- Dollar General will be back in August to address concerns board members have.
- Workshops are continuing on the Solar Energy Systems. We will be meeting on August 2<sup>nd</sup> at 6pm for our next workshop. We wanted to give board members time to review changes and add or delete if needed. Board members were asked to email the Code Office with any changes and we will coordinate all replies at our next workshop.

Legislator Fitzak informed all that they are still working on the EMS plan. Next meeting is mid-August.

NEW BUSINESS

Supervisor Sidonio spoke about the amount of time spent on amending the comprehensive plan and zoning law. The proper resolutions were adopted for the comprehensive plan but the paperwork for the zoning portion fell through. He stated that he wants the responsibility taken off of him and put it in the Board's hands. If the Board wants to pass it, fine. If not, fine. The Town spent \$45,000 and all were in agreement to pass it. Once it is adopted, it can be amended. It is not something that we have to live with for ten years.

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Motion by Sidonio to adopt Local Law No. 1 of 2022, A local law to rescind the Town of Murray Zoning Ordinance and Adopt the Town of Murray Zoning Local Law  
Motion Died for Lack of a Second

Councilman Mele stated that the Planning Board has requested to look at it and they will then give us their recommendation on changes. The Code Enforcement/Zoning Officer also has some issues with it. He is in favor of holding off and waiting for the Planning Board recommendations.

Councilman Hendel said that the \$45,000 has not been wasted. LaBella has done a good job, but there are a couple things that need to be looked at.

Supervisor Sidonio said if the Board does not want to act, then it is off his ‘to do’ list. He reminded that Board that our Comprehensive Plan is the master plan of the Town and the Zoning Ordinance is how we get there. It is critical that both documents marry up. There are 45 acres of industrial property in the industrial park. The big items on the comprehensive plan are subdivision regulations and design standards for what we want these buildings to look like.

RESOLUTION 2022-034

At a meeting of the Murray Town Board held on July 18, 2022 Councilman Michael Mele moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS, at the Town of Murray organizational meeting held on January 5, 2022, the Town Board adopted a resolution that all non-elected employees of the Town of Murray receive a pay increase of 3% for the year 2022; and

WHEREAS, the 2022 Town of Murray budget does not reflect a 3% pay increase for the water collections clerk; and

BE IT RESOLVED, that the Town Board of the Town of Murray hereby approves and authorizes a 3% pay increase for the water collections clerk and the pay increase will be applied retroactively from January 1, 2022 through December 31, 2022;

AND, THEREFORE, IT IS RESOLVED, that the Town Board of the Town of Murray hereby approves the following increase/decrease to each water district to reflect the 3% pay increase:

Water District No. 1	\$ 156.00
Water District No. 2	\$ 288.25
Water District No. 3	\$ 172.32
Water District No. 4	\$ 30.32
Water District No. 5	\$ 102.90
Water District No. 6	\$ 113.83
Water District No. 7	\$ 178.45
Water District No. 8	\$ 60.45
Water District No. 9	\$ 15.97

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Water District No. 10	\$	(0.23)
Water District No. 11	\$(684.56)	
Water District No. 12	\$	30.32
Water District No. 13	\$	(32.73)
Water District No. 15	\$	(68.49)
<u>Water District No. 15</u>	<u>\$</u>	<u>8.35</u>
<b>TOTAL</b>	<b>\$</b>	<b>371.15</b>

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

OLD BUSINESS

Councilman Hendel stated that the Town has spent a significant amount of money providing residents the opportunity to virtually attend meetings. It doesn't seem like the system is working or is just not being used. Supervisor Sidonio said we should have a laptop that is used by the Town, Planning and Zoning Boards specifically for virtual meetings. He also cannot run the meeting and work the equipment; someone will need to work the equipment. He will contact C&H PC to purchase a laptop for streaming.

Councilman Hendel said that each month on the agenda, there is an opportunity for the public to comment to the Board. This is a good thing; we need to hear from the public but he would like to implement the rules for public comment that we used to have published on the back of the meeting agenda. Also, he would like the podium to be put back in place so people aren't just commenting from their seats.

RESOLUTION 2022-035

At a meeting of the Murray Town Board held on July 18, 2022, Councilman Paul Hendel moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS, the Town Board of the Town of Murray welcomes residents commenting to the Town Board and voicing their concerns, certain rules should be put in place in order to ensure an orderly meeting; and

BE IT RESOLVED, that rules for public comments will be listed on the back of each meeting agenda; and

BE IT FURTHER RESOLVED, that a podium be put in place before each Town Board meeting where residents can stand and address the Board during public comments.

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

Councilman Christ stated that he was not present at last month's meeting but he does not appreciate Supervisor Sidonio making statements regarding the water incident from years ago when Councilman Christ is not present to defend himself. Supervisor Sidonio stated he read the incident report.

Brief discussion regarding content of meeting minutes. Town Clerk Cindy Oliver informed all that the minutes of a meeting only need to include actions taken by the Town Board. Everything else she includes does not need to be included. It is a very tedious job and she cannot type verbatim every word that is spoken.

Tammy Leach said that along with rules for public comment there should be rules for the board.

Jeff Lipson thinks the Supervisor is doing an excellent job and has turned a lot of things around and is being attacked for it. He stated that last month Mr. Hendel spoke of a Marine that was fired for using the 'N' word but didn't give all the facts. That Marine was not fired, he was reassigned. Not giving the public all the facts is corruption. He addressed Mr. Christ stating when you constantly push to have a career criminal sit on one of the boards, it's wrong.

Amy Machamer asked about dates for the meetings for the Planning Board review of the Zoning Law. Elaine Berg, Planning Board member said the next meeting is August 2<sup>nd</sup> but she is not sure what is on the agenda for that evening. Ms. Machamer stated that LaBella did an awesome job by making their meetings accessible and the public should have the option to attend these meetings. The Board stated that all work meetings can be attended by the public. She asked that the Chairperson of the Planning Board be informed that there are residents interested in attending.

Elaine Berg stated her comments were for the Supervisor. She understands he talked about her in one of the recordings; it was in a disrespectful and hurtful way. In fact, all the women he referenced in the recordings, he commented on their physical appearance in a vulgar and disrespectful way. It is appalling to hear the way he speaks of women.

She has been nothing but courteous to Joe. She's listened to him, offered her opinion, and sometimes even agreed with him but has always been respectful.

She has spent hours volunteering in this town; from the Zoning Board, Planning Board, County Planning Board, Fancher Memorial and worked almost two years on the Comprehensive Plan. She worked to develop the content of the new Town of Murray web site; which Joe took credit for in an article in the Hub.

The way he talked about her and in the manner he did; that says a lot about who he is.

He says the Town Board won't work with him. He has obviously never been a student of Dale Carnegie – How to Win Friends and Influence People. It's all about how you treat people.

And, a text apology doesn't cut it. Joe's comment was that 'all of this has deeply affected him'. He said he would like to offer an apology in person; that was almost a month ago. Nothing... That says a lot about him.

David Piedmonte said he is confused as to why the Zoning Law hasn't been adopted. He thought it was over and done with. No one brought up that anything was wrong. He stated that this is putting our Zoning Officer in a tough place. How long are we going to put it off? He also questioned the moratorium on solar and wind.

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Elaine Berg, member of the Planning Board informed all that they are actively working on the moratorium. She also said that our Code Officer has brought some new issues to light regarding the Zoning Law where provisions listed do not exist and also setbacks being incorrect. They have a list and will be going through it.

Amy Machamer said the people who worked on the Zoning Law did an outstanding job and she recommends that the Board adopt it.

Motion by Hendel, Seconded by Mele to approve the Supervisor's financial report and that the General Fund bills totaling \$19,723.86 be paid

Motion Carried

Motion by Christ, Seconded by Mele to adjourn the meeting at 8:07 p.m. Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver  
Murray Town Clerk