

Town Board Meeting of the Town of Murray

August 15, 2022

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower, Lloyd Christ, Paul Hendel and Michael Mele, Town Clerk Cindy Oliver, Highway and Water Superintendent Dirk Lammes, Code Enforcer/Zoning Officer Mylynda Kuba, Justices Spada and Passarell, Legislator John Fitzak, Wayne Fauci, Brian Fauci, Dave Knapp, Sandy Shaw, Donna Smith, Elaine Berg, Stacey Keon, Eddie Zelazny, James Zelazny, Tamara Leach, David Leach, Amy Machamer, Tom Rivers, Art Knab, David Paul, Ron Vendetti

Moment of silence and pledge to the flag.

Motion by Mele, Seconded by Hendel approving the minutes of the July Town Board meeting as submitted.

Supervisor Sidonio commented that page two and three states the motion regarding the proposed zoning local law died for lack of a second. He said the motion was tabled. Cindy Oliver explained that if a motion is not seconded, the motion then dies, therefore, there is no motion to table. Tabling a motion requires a majority vote and there was no vote to table. He still would like it stated for the record that the motion was tabled regarding the adoption of the local law.

Motion Carried

Town Justices Ted Spada and Gary Passarell were present to discuss the Town's path to one Town Justice. Judge Spada informed all that of the ten towns in Orleans County, only Albion and Murray have two Justices. All the others have one. Ridgeway has a 1.7 times larger caseload than Murray and the Town of Shelby has a 1.4 times larger caseload than Murray and they are operating with one Justice.

Under Town Law, a town can reduce its number of justices from two to one but cannot eliminate the office of a Town Justice if vacant, until the term expires. Judge Spada's term ends 12/31/24 and Judge Passarell's ends 12/31/25. They would both like to remain a Town Justices until 12/31/24. Judge Spada will assume all court duties effective 01/01/23. On 01/01/23, Judge Passarell will be active to fill in only for recusals, sickness, vacations and training at a salary of \$100/month plus NYS and Orleans County Magistrates dues.

Judge Spada will remain a Town Justice until 12/31/24. He will not seek re-election in 2024. The Town will reduce the number of justices to one (Judge Spada's expired term) through a resolution in November 2024. The Board can then appoint Judge Spada in December 2024 to fill the remainder of Judge Passarell's term through 12/31/25.

They are asking for the Town Board to adopt this plan so they can submit the reduced budget for 2023.

RESOLUTION 2022-36

*****DRAFT*****

At a regular meeting of the Murray Town Board held on August 15, 2022, Councilman Paul Hendel moved adoption of the following resolution; Councilman Michael Mele seconded the motion:

BE IT RESOLVED that the Town Board of the Town of Murray accepts the Town of Murray path forward to one Town Justice as presented to the Town Board on this day of August 15, 2022.

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

Councilman Hendel spoke regarding the Youth Commission. The three-year contract that was in place during COVID expires at the end of this year. The commission is looking to go back to a five-year contract with a 10% increase. An email went out to the Town Supervisors, Superintendent of Schools, the Village Mayor notifying them so we should consider this when developing the budget.

Councilman Hendel asked if anyone had an objection to him contacting our Town Attorney to ask him to look into the possibility of forming a board made up of representatives from the different municipalities. Supervisor Sidonio asked if the other municipalities participating could share the attorney fees. Councilman Hendel will ask. Board is in agreement to contact our Attorney regarding this matter.

Town Clerk

Receipts for July totaled \$1,072.00 with \$983.38 going into the general fund. Cindy stated that the Town Clerk's office has been busier than usual due to sporting licenses that went on sale on August 1st.

Assessor

It has been decided not to do a revaluation this year.

Highway and Water

Dirk informed all that they completed the first mowing for the state and all went well. The second mowing should be easier as the shoulders won't be as thick as they were the first time. The state is looking into extending the contract. It didn't take as long as Dirk estimated it would.

The highway department will be helping the county mill and pave Hulberton and Telegraph Roads. Milling should be done before St. Rocco's Festival. The department will be very busy for the next month.

Replacement parts have arrived for hydrants that have been leaking and taken out of service. Those hydrants will be fixed. The water loss has remained stable as of Dirk's last water loss report.

Dirk would like to sell the 2003 dump truck. Town Board in agreement for Dirk to develop an ad.

Another resident is interested in public water on Brockville Rd.

Code Enforcement/Zoning

Five building permits were issued, 18 building inspections completed, three certificates of occupancy and four certificates of compliance were issued, six violations were issued and two complaints were received.

Dollar General has cancelled their project but told the Planning Board they were very welcoming and because of that they may be back in the near future.

Solar Law: Mylynda is attending workshops with the Planning Board. They are almost finished with the law and will send it to the Town Board with recommendations.

The Planning Board set a public hearing date for September 6th at 6:00 p.m. for Sam & Sons project.

Workshops are continuing on the Solar Energy Systems. We will be meeting on September 6th at 6:00 p.m. for our next workshop. Will re-edit the law for changes and review fees for recommendations to the Town Board.

Legislator Fitzak stated meetings continue with the EMS Task Force. He also thanked Cindy for her help with a resident's request who is applying for dual citizenship.

New Business

Supervisor Sidonio moved to adopt Local Law No. 1 of 2022 entitled *A Local Law to Rescind the Town of Murray Zoning Ordinance and Adopt the Town of Murray Zoning Local Law*.

Supervisor Sidonio stated that the Planning Board was going to review this. We are going on nine months. The former Chairman and current Chairman of the Planning Board made comments to it prior to supposed adoption. Mr. Hendel sat in on meetings for six months. He is now asking for a second.

Councilman Mele stated that they are waiting for the recommendations and/or information to come in from the Planning Board.

Supervisor Sidonio asked what is taking so long. Two years were spent on this. An atrocious amount of money was spent. Over \$4,100 was spent on the Renewable Energy Law. Mylynda does not believe that figure is correct. She went through the attorney bills and generally there are charges for some work on Sam & Sons, renewable energy law and charges for conversations with the entire board going back and forth. It does take a couple months to review the laws to make sure they will work in our community. They are currently reviewing battery storage and will then look over the zoning local law. The Town Board and the Planning Board would like the proposed local law reviewed. Supervisor Sidonio asked what issues they have found so far with the zoning ordinance. Mylynda stated she does not have huge issues but there are some small things that need to be changed. Councilman Hendel said that he respects and has faith in Mylynda and our Planning Board. They are the ones who work with this document all the time. It is important for them to give it a full review. Yes, time and money have been spent but let the final piece be completed by

the experts that use it every day. Supervisor Sidonio wants a timeline of when it will be done. Councilmen Mele, Bower and Christ are in agreement to let Mylynda and the Planning Board review the document as agreed to last month.

Motion died for a lack of a second.

Supervisor Sidonio said he no longer will be taking responsibility of zoning local law and it is now in the Town Board's hands.

RESOLUTION 2022-037

At a regular meeting of the Murray Town Board held on August 15, 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 hereby approves of the amended agreement between the Town of Murray and the Murray Holley Historical Society, and

IT IS FURTHER RESOLVED, that the Town Supervisor is authorized to sign the agreement on the Town of Murray's behalf.

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

Public Comments

Supervisor Sidonio informed all of the rules for public comments that are listed on the back of the meeting agenda. Comments should pertain to Town business. Bashing board members or each other will not be tolerated. It is a privilege and we do not have to allow it so please be polite.

Stacey Keon of 15764 W. Brockville Road spoke of their need for public water. The water line stops at Bob Banks' home and she is asking the Board to please bring the water line down to the rest of the road. Water insecurity is not a pleasant thing. There will be no growth if the water line is not there.

Councilman Hendel said it not only benefits our town but also increases home values. He asked Dirk when free, to inventory around the town and see which areas are still without water.

Steve Keon said it was nice of Dirk to come down and look at things and whatever he can do to help, he would be glad to.

Ron Vendetti of 3486 Hindsburg Road said that every location in the Town is measured for setback from the center line of the road, so how can you say that Ridge Road is not the same as everywhere else in the Town. And while you can add additional requirements/restrictions, why even have the law?

Mr. Vendetti doesn't understand the big concern about adopting the new zoning law immediately when there are many other local laws in place that are much older. The Planning Board has worked diligently on the solar law and they will then review the zoning law. Unfortunately, in developing the proposed zoning law, COVID happened and not a lot of people were able to have their input. The residents in general do not know what is in this new zoning law as meetings were not announced as they should have been. The Planning Board should have the opportunity to review and make revisions where they see fit. While the county thought it was great, the county doesn't make the plan or enforce it.

Art Knab of 2753 Hindsburg Road stated that the Supervisor is concerned about costs but almost \$5,000 was spent on equipment to live stream the board meetings and it is not being used. No one can view the meetings. It is a waste of taxpayer dollars.

David Paul of 3823 Countyline Road said that the Supervisor has been complaining about the ride for the blue. Mr. Paul spends \$2,000 each year to put on this event. It is not for profit and the food vendors have permission from the Orleans County Health Department. It is a way to show support for Sheriff's, NYS Troopers, border control and more. People lined up on the roads with flags and the fire department hung a huge flag in the square in support of this event. The Supervisor is the one who starts all of the negative things and he would like it to stop.

Sandy Shaw was present to inform all of the successful summer programs they have had at the library. They've held 15 events since July 4th with 179 children and 81 adults participating. She thanked the Erie County Historical Society, Teacher Geek and Hurd Orchards for sponsoring some of the programs.

Amy Machamer of 3803 Hurd Road stated she is the Supervisor's wife and she was surprised that the WW II Memorial in Fancher is now listed on the National Register of Historic Places. She said she is so proud of her husband for championing this project and now the Town has something that is recognized nationally.

Brian Fauci of 17165 Gulf Road is looking for updates on the resolution that was passed for a stop sign on Gulf and Bennetts Corners Road. Supervisor Sidonio informed him that Highway Superintendent Lammes is the one to speak to.

Motion by Councilman Christ, Seconded by Councilman Mele approving the supervisor's financial report and that the following bills are approved for payment:

Sidonio abstained from the vote.

Motion Carried

General Fund	\$59,196.23
Highway Fund	\$8,203.99
Water District No. 1	\$1,044.51
Water District No. 2	\$3,361.27
Water District No. 3	\$1,547.04
Water District No. 4	\$406.66
Water District No. 5	\$267.56

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Water District No. 6	\$3,629.96
Water District No. 7	\$2,749.87
Water District No. 8	\$1,022.73
Water District No. 9	\$709.28
Water District No. 10	\$911.09
Water District No. 11	\$4,246.90
Water District No. 12	\$553.90
Water District No. 13	\$760.54
Water District No. 15	\$1,130.15
Water District No. 16	\$278.82
Water District No. 20	\$704.05
Street Light Districts	\$725.92

Motion by Councilman Mele, Seconded by Councilman Christ to adjourn the meeting at 8:10 p.m.
Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver