

Town of Murray Public Hearing and Board Meeting

July 17, 2023

Present: Supervisor Joseph Sidonio, Councilmen Randall Bower, Lloyd Christ and Gerald Rightmyer, Town Clerk Cindy Oliver, Planning Board Members Dave Knapp and Elaine Berg, Legislators Ed Morgan and John Fitzak, Jim Johnson, Mark Taylor, Amy Machamer, Michael Mele, Zoning Board of Appeals Chairman Eric Collyer, Stacey Keon, Eric Fredendall, Lindsay Fredendall, Kellie Gregoire, Mark Gregoire, Donna Smith, Louise Passarell, Tammy Leach, Zoning Board of Appeals Member David Leach, Mark Scarborough, Michael Christopher

Moment of silence and pledge to the flag.

Public Hearing – Proposed Local Law No. 2 of 2023 *A Local Law to Rescind the Town of Murray Zoning Ordinance and Adopt the Town of Murray Zoning Local Law*

Motion by Bower, Seconded by Christ to open the public hearing Motion Carried

Supervisor Sidonio read aloud the public notice that was published in the Batavia Daily News announcing the public hearing. The proposed local law has been on file in the Town Clerk's office and on the Town's website for those who wish to review it.

The floor was opened to anyone present wishing to speak in support of or against the proposed local law.

No comments from those present.

Motion by Bower, Seconded by Rightmyer to close the public hearing at 7:01 p.m. Motion Carried

Town Board Meeting

Motion by Bower, Seconded by Christ to open the regular Town Board meeting at 7:02 p.m.
Motion Carried

Motion by Christ, Seconded by Rightmyer approving the June 7th meeting minutes as submitted
Motion Carried

Motion by Rightmyer, Seconded by Christ approving the June 26th meeting minutes as submitted
Motion Carried

Lynn Wood entered the meeting.

Town Clerk

June receipts totaled \$654.00 with \$495.00 going into the general fund.

Community Action asked if they could bring in a bin so people can donate either food, or pet food for people in need. They said they would come and pick the bin up every week or two.

Highway and Water

The Highway Department has been mowing roadsides and the cemetery as well as hydro-axing some ditches.

Dirk would like the board to adopt a resolution allowing the Highway Department add culvert length and cover the ditch at 17122 Brockport-Holley Road. The owner cannot mow it as it is so deep and is having trouble getting in and out of their driveway, especially in the winter. Councilman Rightmyer wanted to make sure that the homeowner would be paying for materials needed. Dirk said yes and the town will maintain it, which is not much of anything.

The Water Department has submitted its water samples and operational report to the health department and all is well.

We added a new service to district 11.

A few leaks have been found and fixed. The department has responded to many stake outs and we've billed for the 2nd quarter.

Code Enforcement

Written report submitted:

Building permits issued:	6
Zoning Board Interpretation (Spada)	1
Building Inspections	8
Certificate of Compliance issued	1
Complaints received	2

Zoning Board of Appeals:

Code Interpretation – Mr. Spada, Telegraph Road. Tabled until further notice. Mr. Dan Seeler has missed three out of 3 Zoning Board meetings without contacting Chad or Diane.

Planning Board:

Board members held a workshop on the Zoning Ordinance and focused on our Town Zoning Map.

We received letters of intent to stay on their respected boards from all members except, Dan Seeler of the ZBA and Lynn Vendetti of the Planning Board.

Supervisor Sidonio stated that he would like the Code Enforcement Department to be a bit more detailed regarding building permits issued. It would be good for the community to know what kind of development is happening.

Legislator Ed Morgan informed all about the district court public hearing at the county office building on Wednesday at 7:00 p.m. It is something everyone should be interested in. Legislator John Fitzak stated that the public hearing is just for informational purposes only. Councilman Bower asked if there are any other counties that have made the change to district court. They think maybe Suffolk County is the only one.

New Business

RESOLUTION 2023-033

At a meeting of the Town Board of the Town of Murray, duly held on July 17, 2023, Councilman Lloyd Christ moved adoption of the following resolution; Councilman Gerald Rightmyer seconded the motion:

BE IT RESOLVED, that the Town Board of the Town of Murray hereby accepts the resignation of Michael Mele from the Town Board of the Town of Murray, effective June 29, 2023.

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

RESOLUTION 2023-034

At a meeting of the Town Board of the Town of Murray, duly held on July 17, 2023, Councilman Gerald Rightmyer moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS, the Town Board of the Town of Murray has a vacancy due to the resignation of Michael Mele; be it

RESOLVED, that the Town Board of the Town of Murray hereby appoints Michael Christopher to the Murray Town Board to a term beginning July 17, 2023 and ending December 31, 2023.

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

Mr. Christopher was given his oath of office.

RESOLUTION 2023-035

At a meeting of the Town Board of the Town of Murray, duly held on July 17, 2023, Councilman Randall Bower moved adoption of the following resolution; Councilman Gerald Rightmyer seconded the motion:

WHEREAS, an advisory committee appointed by the Town Board recommended comprehensive revisions to the Town of Murray zoning regulations and adoption of the revised regulations as a local law; and

WHEREAS, the Murray Town Board held a public hearing on the proposed zoning regulations on December 1, 2021, published a notice of such hearing in its official newspaper and mailed copies of the public hearing notice to the clerks of neighboring municipalities as required by NYS Town Law Section 264; and

WHEREAS, the Town referred the proposed zoning local law to Orleans County Planning Board pursuant to section 239-m of the General Municipal Law; and the County Planning Board issued a recommendation of “Approval” at its meeting on May 2, 2021;

WHEREAS, the Murray Town Board issued a Negative Declaration pursuant to the NY State Environmental Quality Review Act (SEQRA) on December 20, 2021; and

WHEREAS, the Murray Town Board, after due deliberation, finds it in the best interest of the Town to adopt said local law.

NOW, THEREFORE BE IT RESOLVED, that the Murray Town Board hereby adopts Local Law No. 2 of 2023 entitled “A Local Law to Rescind the Town of Murray Zoning Ordinance dated May 25, 2009 as amended and adopt the Town of Murray Zoning Local Law,” a copy of which is attached hereto and made part hereof, and the Murray Town Clerk is hereby directed to enter said Local Law in the minutes of this meeting and in the Local Law book of the Town of Murray, and to give due notice of the adoption of said Local Law to the Secretary of State by filing the same with the Secretary of State as required by law.

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

Ayes	5	Bower, Christ, Christopher, Rightmyer, Sidonio
Nays	0	

The resolution was thereupon unanimously adopted.

RESOLUTION 2023-036

RESOLUTION URGING THE NEW YORK STATE LEGISLATURE & GOVERNOR KATHY HOCHUL TO DRAFT AND ENACT LEGISLATION REGARDING A VOTER’S IDENTIFICATION PROCESS

At a regular meeting of the Murray Town Board held on July 17, 2023, Councilman Randall Bower moved the adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

WHEREAS this country was formed on the principles of democracy and our forefathers fought for our right to elect our representation; and

WHEREAS the majority of the states in the United States require a voter’s identification to increase the public’s confidence and ensure a fair election process; and

WHEREAS the Board of Elections may not get notification of a voter registering in another location or of a death of a registered voter; and

WHEREAS in an economy where the Board of Elections may not have sufficient funding or staffing to purge voters rolls of individuals who no longer live in each election district or county, as required; and

WHEREAS in a day and age where the ability to work does not necessarily need to be where you live, this allows for more individuals to be transient in nature and the addition of voter's identification will assist in keeping all voter rolls current; and

WHEREAS in the State of New York the requirement is to compare the signature on file, this doesn't necessarily help maintain current voter registration as name and address changes are not necessarily communicated in the current process, also this would assist in the purging of the roles of individuals who are no longer active voters in that county; and

WHEREAS the subject of the Resolution is not an action defined by 6 N.Y.C.R.R. Section 617.2(b) and therefore no further SEQRA review is required

THEREFORE, BE IT RESOLVED that the Town Board of the Town of Murray does hereby request that the New York State Legislature and Governor Hochul draft and enact legislation to allow for a voter's identification process to assist with maintaining voter's registration rolls; and it is

FURTHER RESOLVED that the Town Clerk be and is hereby directed to forward certified copies of this Resolution to Governor Kathleen C. Hochul, President Pro-Tempore and Majority Leader Andrea Stewart-Cousins, Speaker of the Assembly Carle E. Heastie, Congressman of the 25th District Joe Morelle, Congresswoman of the 24th District Claudia Tenney, Senator of the 62nd District Robert Ort, Assemblyman of the 139th District Steve Hawley and the Orleans County Legislature

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

RESOLUTION 2023-037

At a meeting of the Town Board of the Town of Murray duly held on July 17, 2023 Councilman Gerald Rightmyer moved adoption of the following resolution; Councilman Lloyd Christ seconded the motion:

BE IT RESOLVED that the Town Board of the Town of Murray hereby authorizes Supervisor Joseph Sidonio to sign the New York Municipal Insurance Reciprocal annual renewal application for the Town's policy beginning August 20, 2023.

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

Motion by Bower, Seconded by Christopher to schedule a public hearing to present the Agricultural and Farmland Protection Plan on August 2, 2023 at 7:00 p.m. Motion Carried

Cindy will put a notice in the Batavia Daily.

RESOLUTION 2023-038

At a regular meeting of the Town Board of the Town of Murray, duly held on the July 17, 2023, Councilman Lloyd Christ moved adoption of the following resolution; Councilman Gerald Rightmyer seconded the motion:

RESOLVED, that the Town of Murray Highway Department will take responsibility of maintenance and approximately 90 feet of 12-inch ADS smooth boar culvert pipe in front of property located at 17122 Brockport-Holley Road with both ends of the pipe being a minimum of five feet from the property line;

BE IT FURTHER RESOLVED that the owner of said property will be responsible for the cost of all materials used.

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

Supervisor Sidonio asked Councilmen for ideas in using the ARPA funding. It can be discussed after the public hearing on August 2nd.

Public Comments

Stacey Keon of West Brockville Road asked if those funds could be used for public water on her road. The Board will be discussing what the funding will be used for on August 2nd.

Motion by Bower, Seconded by Rightmyer approving the supervisor’s financial report and that the following bills be paid: Motion Carried (Sidonio Abstained)

General Fund	\$8,241.65
Highway Fund	\$3,326.89
Street Light Fund	\$1,156.88
Water District No. 1	\$836.94
Water District No. 2	\$6,086.81
Water District No. 3	\$3,134.89
Water District No. 4	\$870.59
Water District No. 5	\$451.19
Water District No. 6	\$3,255.43
Water District No. 7	\$2,150.79
Water District No. 8	\$1,839.50
Water District No. 9	\$404.21
Water District No. 10	\$1,065.84
Water District No. 11	\$6,770.16
Water District No. 12	\$415.12
Water District No. 13	\$1,220.76

Water District No. 15	\$2,261.40
Water District No. 16	\$557.36
Water District No. 20	\$1,457.89

Motion by Christ, Seconded by Bower to adjourn the meeting at 7:27 p.m. Motion Carried

So adjourned.

Respectfully Submitted,

Cynthia L. Oliver