

Murray Town Board Meeting

February 26, 2024

Present: Supervisor Gerald Rightmyer, Councilpersons Elaine Berg, Randall Bower and Michael Christopher, Town Clerk Cindy Oliver, Highway and Water Superintendent Dirk Lammes, Town Justice's Ted Spada and Gary Passarell, Sandy Shaw of the Holley Community Free Library, Dave Knapp, Neil Valentine, Mark Gregoire, Kellie Gregoire, Michael Mele
Absent: Councilperson Lloyd Christ

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

Pledge to the flag.

Motion by Berg, Seconded by Christopher approving the minutes of the January 22nd Town Board meeting as submitted Motion Carried

Supervisor Rightmyer addressed those present regarding rumors in respect to giving himself a 15% raise. Nothing could be further from the truth. Under the last administration, someone contacted our bookkeepers and had them remove the \$1,500 amount from the 'budget services' line on our 2024 Town budget. This \$1,500 has been part of the Supervisor's salary for many years. In light of this, at January's meeting, we simply re-established the \$1,500 amount on the 'budget services' line with funds coming from appropriated fund balance.

There has also been talk that the town must have an agricultural representative as a member of the planning board. After looking at our zoning ordinance, the town attorney said it is poorly worded and it is his interpretation that we do not need an agricultural representative on the planning board.

Town Clerk

Receipts for January totaled \$235.00 with \$163.16 going into the general fund.

Cindy received notice from the County Legislature that David Knapp has been appointed to the Orleans County Planning Board as the At-Large East representative.

The Legislature also appointed Scott Lang to the Orleans County Planning Board as the Town of Murray representative.

Assessor's Department

The office has been busy with ag. exemptions and sr. disability exemptions.

Highway and Water

There have been some flooding issues with the rain and thaw. Supervisor Rightmyer and Dirk went out and identified spots where ditching and/or pipe replacement is needed. The highway department cleaned up brush on Collucci Drive and are getting ready to ditch that also.

Salt consumption is right on target. The new truck has been ordered. They are more than a year out until it comes in. The 2024 pick up has been delivered. We have approval to be reimbursed for that.

Water continues to be stable. In the fourth quarter we had a big leak and did lose water, but knowing that loss, we are now staying pretty stable.

RESOLUTION 2024-012

At a meeting of the Murray Town Board, duly held on February 26, 2024, Councilperson Randall Bower moved adoption of the following resolution; Councilperson Elaine Berg seconded the motion:

RESOLVED, that the Town Board of the Town of Murray hereby authorizes Highway Superintendent Dirk Lammes to bring the 2015 Chevy 1500 to auction with a reserve of \$8,000.

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

Code Enforcement

- Building Permits issued: 1
 - Pole barn
- Fire Inspections: 1
 - Kenyon Sand & Gravel
- Building Inspections: 25
- Certificate of Occupancy issued: 1
 - Commercial new building
- Certificate of Compliance Issued: 14
 - Deck (2)
 - Gas fireplace
 - Lean-to
 - Pool
 - Pole barn (2)
 - Generator
 - Covered porch
 - Detached garage
 - Remodel
 - Outdoor wood furnace
 - Chimney replacement
 - Commercial pole barn

Code Office requested large copies of the Town’s current zoning map from the county. They were delivered to the Town Hall.

The Code office did an audit of all the 2023 permits for active status updates. Many final inspections were scheduled and C of O’s were issued. Continuing with the 2022 permits that are still active for status updates to clear files.

Sam and Son's new commercial 27,500 sq. ft. building had the final inspection completed on Friday, February 16th. C of O was issued.

Reviewing the current fee schedule to bring it up to date.

Requests were sent to the following electrical inspection companies in order to add them to the Town's list of third-party electric inspectors as we currently only have one: NY Electrical Inspection Agency.

- Middle Dept. Inspection Agency
- Commonwealth Electrical Inspection Service
- Empire Inspections.

Zoning

No appeals for the month of February. Many members are completing their on-line training.

Planning

No agenda items for February. Many members are completing their on-line training.

Public Comments

Sandy Shaw of the Community Free Library was present to inform the Board of ideas she has for community viewing of the eclipse.

She reminded all of the wine tasting that will take place on April 26th at the library. Tickets go on sale April 1st. She will bring some tickets to the Town Clerk's office for purchase by the public.

Justice Spada and Justice Passarell spoke to the Town Board regarding the plan for the Town to reduce the number of Justice's from two to one on January 1, 2025.

In August, 2022 both Judges presented a plan to the Town Board to reduce the number of Justices from two to one. Reasons for this were that the only other town with two justices is Albion but their caseload is 2.4 times larger than Murray's. Town courts of Ridgeway and Shelby are functioning with one judge and they have 1.7 and 1.4 times higher caseload than Murray. Their plan included Judge Spada not seeking re-election in 2024 and the board then appointing him to fill the remainder of Judge Passarell's term which will expire December 31, 2025.

Their proposed new plan moving forward is for Judge Spada to seek re-election in November 2024 for a term of four years. On January 2, 2026 he will resign effective May 31, 2026. This will give the town time to select a candidate for town justice and the candidate can attend NYS Town and Village Judicial training. Judge Spada will then mentor the new justice in town court and CAP court. The present court clerks would resign on May 31, 2026 also. Court clerks have many duties in a variety of areas. This new plan will ensure the new justice and court clerk will have the training needed.

New Business

RESOLUTION 2024-013

WHEREAS, New York State Town Law 60-a.2 authorizes the Town Board to reduce the number of Town Justices by the adoption of a resolution, subject to permissive referendum; and

WHEREAS, the Town Board has determined that it will be in the best interests of the Town to reduce to once justice; and

WHEREAS, the case load and amount of business handled in the Town Court of the Town of Murray is typical of those in similar towns with a single justice; and

NOW, THEREFORE BE IT RESOLVED as follows:

1. The Town of Murray will reduce the number of Town Justices from the current number of two (2) to one (1) effective January 1, 2025, upon the expiration of the term of office ending December 31, 2024, and
2. In accordance with the provisions of New York State Town Law 60-a.2, this Resolution is subject to a permissive referendum.

FURTHER BE IT RESOLVED that this resolution or a summary hereof shall be published in full in the official legal newspaper of the Town for such purposes, together with a notice of the Town Clerk.

I, Cynthia Oliver, Town Clerk of the Town of Murray, do hereby certify that the aforementioned resolution was adopted by the Town Board of the Town of Murray on February 26, 2024, by the following vote:

	AYE	NAY	ABSENT
Gerald Rightmyer, Supervisor	<u> X </u>	_____	_____
Elaine Berg, Councilperson	<u> X </u>	_____	_____
Lloyd Christ, Councilperson	_____	_____	<u> X </u>
Michael Christopher, Councilperson	<u> X </u>	_____	_____
Randall Bower, Councilperson	<u> X </u>	_____	_____

RESOLUTION 2024-014

At a meeting of the Town Board of the Town of Murray duly held on February 26, 2024, Councilperson Randall Bower moved adoption of the following resolution; Councilperson Elaine Berg seconded the motion:

IT IS RESOLVED, that the Town Board of the Town of Murray, hereby authorizes Highway Superintendent Dirk Lammes to the trade in the 2022 Case 580SN backhoe for \$116,500 and to purchase a 2024 Case 580WT backhoe at a cost of \$10,411.58 after trade in.

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

RESOLUTION 2024-015

At a meeting of the Town Board of the Town of Murray, duly held on February 26, 2024, Councilperson Michael Christopher moved adoption of the of the following resolution; Councilperson Elaine Berg seconded the motion:

RESOLVED, that the Town Board of the Town of Murray, hereby authorize Highway Superintendent Dirk Lammes to sign the NYS DOT Agreement to Extend Indexed Lump Sum Municipal Snow and Ice Agreement for the 2023/24 Snow & Ice Season.

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

Motion by Bower, Seconded by Christopher approving the following bills to be paid:
Motion Carried

General Fund	\$34,584.44
Highway Fund	\$129,578.65
SF Fund (Fire)	\$525,018.00
Water District No. 2	\$1,028.03
Water District No. 3	\$529.47
Water District No. 4	\$147.05
Water District No. 5	\$76.20
Water District No. 6	\$2,405.68
Water District No. 7	\$1,589.37
Water District No. 8	\$310.69
Water District No. 9	\$298.70
Water District No. 10	\$787.63
Water District No. 11	\$2,552.39
Water District No. 12	\$306.76
Water District No. 13	\$206.18
Water District No. 15	\$422.05
Water District No. 16	\$94.14
Water District No. 20	\$246.22
Street Lights	\$830.77

Motion by Berg, Seconded by Christopher to adjourn the meeting

Motion Carried

Respectfully Submitted,

Cynthia L. Oliver