

Town of Murray Public Hearing Minutes

April 10, 2007

Present: Deputy Supervisor/Councilman Henry Wagner, Councilmen Lloyd Christ, Ed Bower and John Morriss, Zoning/Bldg. Inspector Dan Strong, Highway & Water Superintendent Ed Morgan, Attorney Jeff Martin, Town Clerk Cindy Oliver, Assessor Chipper Gifaldi, Highway Clerk Karen Clark, Tom Rivers, George Karpenko, Kathleen Bates

Pledge to the flag.

Public Hearing to consider adoption of proposed Local Law entitled "A Local Law Changing from Three Elected Assessors to a Single Appointed Assessor in the Town of Murray"

This local law was introduced last month and it provides for the elimination of three elected Assessors effective December 31, 2007 and the creation of a sole appointed Assessor. This would make the Town of Murray consistent with the other nine towns in the county. This is authorized under the Real Property Tax Law. If this local law is adopted the terms of the three current Assessors would end December 31, 2007 and the Town Board would appoint a single Assessor who would take office for an initial term of January 1, 2008 through September 30, 2013. Six year terms beyond that beginning on October 1st and terminating September 30th. This would be a full-time position. This local law would not be subject to a permissive referendum and if adopted by the board it would become effective on December 31, 2007.

Assessor Chipper Gifaldi asked why the Town is electing to do this. He has been here for 19 years and thinks all in the Assessor's office are doing a good job. He voiced concerns that the work cannot be done with just one Assessor and is concerned about the quality of service to the residents of Murray. Jeff Martin spoke of the County Real Property Tax Service pushing over the years for the Town to go to a single Assessor. In recognition of this, the State Legislature changed the Real Property Tax Law effective mid 2006 to eliminate a referendum requirement that previously existed on going from a Board of Assessors to a sole appointed Assessor. Not only is the County pushing, but this is the way the State would like things to go in rural counties. This is not a reflection on anyone's work or work quality, we are just trying to be consistent with the other nine towns in the county that have already gone to a sole appointed Assessor.

Motion by Christ, Seconded by Bower to close the Public Hearing.

Motion Carried

Public Hearing closed at 7:08 p.m.

Public Hearing to consider the adoption of proposed Local Law entitled "A Local Law Regulating the Outside Storage of Unlicensed Vehicles in the Town of Murray"

Presently we operate under a cumbersome ordinance which was adopted back in 1979. Over the years our Zoning Officers have had some issues with the ordinance. Jeff drafted a local law that will simplify the process. The law allows one unlicensed vehicle. Any unlicensed vehicles in excess of one will be in violation of the local law and it gives our Zoning Officer the authority to issue appearance tickets to bring violators into court. Jeff went over the fines and penalties. If the Board elects to adopt, we will be repealing our Junk Vehicle Ordinance of 1979. The new local law would replace the current regulations. Councilman Christ questioned a previous discussion of allowing two unlicensed vehicles. Jeff stated that under the State Law, only one is allowed and anything done locally has to be at least as restrictive as the State Law.

Motion by Bower, Seconded by Christ to close Public hearing.

Motion Carried Public Hearing closed at 7:13 p.m.

Town of Murray Town Board Meeting Minutes

April 10, 2007

Present: Deputy Supervisor/Councilman Henry Wagner, Councilmen Lloyd Christ, Ed Bower and John Morriss, Zoning/Bldg. Inspector Dan Strong, Highway & Water Superintendent Ed Morgan, Attorney Jeff Martin, Town Clerk Cindy Oliver, Highway Clerk Karen Clark, Legislator Ken Rush, Tom Rivers, George Karpenko, Kathleen Bates, Jessica Comisso

Motion by Christ, Seconded by Morriss that the March Public Hearing minutes and the Town Board Meeting minutes be accepted and approved as submitted.

Motion Carried

Zoning Building Inspector: Dan reported on building permits issued since last Board meeting and construction projects in the Town. Red Rock Ponds (Canal Rd. campground) has permit to begin construction.

Dan and Lynda sent out spring clean-up letters. They will spend a couple days in April in the Town to see where problem areas are and to see where they need to focus.

Dan attended four days of State training in March. Dan supplied the Board with NYS Shared Municipal Services Incentive Program information. He also supplied them and Cindy information regarding building permits and frequently

asked questions regarding building permits. It might be a good addition to the newsletter.

Correspondence:

- Tom Reynolds "One on One" on Saturday, April 21st at the Village Inn from 12:00 pm. – 2:00 p.m.
- Legislators/Supervisors meeting – Village Inn, April 24th at 6:30 p.m.

New Business:

Motion by Christ, Seconded by Morriss commending Fancher Hulberton Murray Fire Company for 50 years of exemplary service to the community.

Motion Carried

On behalf of the Town, Councilman Wagner will present a certificate to the Fire Company at their anniversary dinner Saturday evening.

Councilman Bower moved adoption of Local Law No. 1 of 2007 *Changing from Three Elected Assessors to a Single Appointed Assessor in the Town of Murray*; Councilman Morriss seconded the motion.

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

Ayes	4	Wagner, Christ, Bower, Morriss
Nays	0	
Absent	1	Lehning

Resolution was thereupon adopted (On file in the Town Clerk’s office)

Councilman Bower moved adoption of Local Law No. 2 of 2007 *Regulating the Outside Storage of Unlicensed Vehicles in the Town of Murray*; Councilman Morriss seconded the motion.

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

Ayes	3	Wagner, Bower, Morriss
Nays	1	Christ
Absent	1	Lehning

Resolution was thereupon adopted (On file in the Town Clerk’s office)

Attorney Jeff Martin: David Paul has been issued a stop work order by the DEC. Jeff is not aware of all the particulars but according to Lynda, the extent of disruption as far as acreage is concerned, requires a SPDES (State Pollutant Discharge Elimination System) permit. He can continue to operate the business for which his special permit was issued, but anything beyond that he cannot do.

Town Clerk: March receipts totaled \$515.60. Revenues for the general fund were \$326.60.

On April 15th unpaid tax notices will be sent out informing property owners that April 30th is the last day to pay taxes at the Town Clerk's office. After that day, all unpaid taxes are turned over to the County Treasurer. At this time, about \$2,500,000 in taxes has been collected and over \$835,000 remains unpaid.

April 30th through May 2nd Cindy will be attending the Town Clerk's Conference in Rochester. Sally will be in the office on those days.

Regarding the Wind Energy Local Law: Tom Martin was present to answer any questions and if the Board chooses to make any revisions to the law, they can be made. Discussions regarding fall zones, buffer zones, setbacks from property lines, roads, residential and vacant structures. Revisions to these areas were discussed.

David Paul and Bill Herring entered meeting.

The major points that were brought up at the Public Hearing last week were discussed. These points were setbacks, the two year duration of a special permit, height of the small facilities and agricultural facilities, and eliminating the five acre or two acre minimum lot size requirement.

The following revisions were approved by the Board:

- Increase the term of a special permit from two years to ten years
- For commercial facilities, reduce the distance between the fall zone and any public right of way from 500 feet to 300 feet
- For commercial facilities, reduce the distance between the fall zone and the nearest off-site non-residential building from 500 feet to 100 feet
- For commercial facilities and MET towers eliminate the minimum five acre lot size requirement
- For small facilities and agricultural facilities eliminate the minimum two acre lot size requirement
- For small facilities and agricultural facilities increase the maximum tower height from 100 feet to 150 feet
- Clarify that host agreements must be discussed during the special permit application process and that a legally binding host agreement, if deemed appropriate by the Town must be in place prior to issuance of a special permit

Tom will make changes and the Board will be given the revised law within a couple days at the latest. Jeff will refer the revised law to County Planning. We will publicize and hold another Public Hearing before the May meeting to consider the changes. If the Board is inclined to adopt the local law with these revisions, they could do so at the meeting following the Public Hearing.

Highway & Water Superintendent: Ed spoke to some manufacturers of oil/water separators regarding a price for a smaller one. He will have these prices at the next meeting.

Motion by Morriss, Seconded by Bower authorizing the Highway Superintendent to purchase a Chevy, half-ton, extended cab pick-up, with 4-wheel drive, plow package and undercoating on State bid for \$21,900 plus \$400 for delivery from Albany. Motion Carried

Motion by Christ, Seconded by Morriss to approve the Supervisor’s financial report and that the following bills be approved and paid: Motion Carried

General Fund	Claims 95 - 135	Total \$24,826.35
Highway Fund	Claims 78 - 103	Total \$26,064.10
Water District No. 1	Claims 19 - 24	Total \$ 453.78
Water District No. 2	Claims 28 - 33	Total \$ 190.45
Water District No. 3	Claims 24 - 30	Total \$ 2,023.08
Water District No. 4	Claims 15 - 20	Total \$ 87.60
Water District No. 5	Claims 13 - 16	Total \$ 12.00
Water District No. 6	Claims 29 - 36	Total \$ 3,941.13
Water District No. 7	Claims 18 - 22	Total \$ 108.98
Water District No. 8	Claims 17 - 21	Total \$ 73.71
Water District No. 9	Claims 16 - 20	Total \$ 29.64
Water District No. 10	Claims 25 - 32	Total \$ 343.86
Water District No. 11	Claims 32 - 38	Total \$ 674.58

Motion by Christ, Seconded by Bower to adjourn the meeting.
Motion Carried

Meeting adjourned at 8:53 p.m.

Respectfully Submitted,

Cynthia Oliver