

**Town of Murray Board Meeting Minutes**

August 14, 2007

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Code Enforcement Officer Dan Strong, Highway & Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Attorney Jeff Martin, Paul Chatfield, Legislator Kenneth Rush, Richard Butler, Timothy Butler, George Marriott, Charles Marriott, Mark Taylor, Lori Rife, Richard Downey, Joe Sidonio, Adam Johnson, Kathleen Bates, David and Jamie Orians

Pledge to the flag.

Meeting called to order at 7:00 p.m. by Supervisor Lehning.

Motion by Wagner, Seconded by Bower to approve the minutes of the July 10<sup>th</sup> Town Board meeting as submitted. Motion Carried

**Mark Taylor and Lori Rife** – spoke of the ongoing problems they are having concerning Pasquelly's Pizza;

- Garbage is still not being placed in a commercial dumpster but a wooden box, animals are getting into it, the garbage is not being maintained
- The lighted sign shining in their bedroom
- Shed near their property
- Noise on Friday and Saturday evenings
- Workers revving engines and squealing tires

If the cooler and the shed are not in code he wants them gone. They've gotten no response regarding the complaint they both signed. Nothing has been done about these problems. Regarding their own garage sale; the sale has only been ongoing for one week, not two. Others on his road have had moving sales for months and they've gotten no notice regarding garage sales. Zoning Officer Dan Strong showed before and after pictures of Pasquelly's. Dan received copies of records regarding grease pick up. Mr. Taylor said he wants a commercial dumpster at the restaurant; he wants the cooler moved and the storage shed moved. He also wants the harassment to stop. Dan said that harassment is an issue to take up with the police as it is not a zoning issue. Supervisor Lehning thinks there is additional work to do regarding this problem and Dan and Lynda will have to work this out with the parties concerned.

**Adam Johnson** – Spoke regarding the restoration of the old high school in the village. He has spoken to an architect who specializes in historic buildings about different concepts and ideas. The Town of Murray and Village of Holley need more space. Restore NY grant deadline is September 28<sup>th</sup>. The architect can prepare the study by the deadline for a fee of \$7,500. Mr. Johnson is willing to pay one third. He is asking that the Town and Village pay one third each. Mr. Johnson spoke of his ideas. Joe Sidonio asked if he has spoken to Orleans County Developmental Agency. Mr. Sidonio said that the Village received a \$30,000 grant for a feasibility study and he thinks they only spent half of that. Maybe the Village can pay with the remainder of what is left of the grant money they received.

David Paul and Taryn Hilliker entered meeting.

**Assessors** – Lynn Wood reported of small claims cases on six different properties and an Article 7 on one commercial property. The maximum income for aged exemption has been changed from \$18,200 to \$19,200. Orleans County also adopted a disability exemption with a maximum income level of \$11,400. Brief discussion of push from NYS for consolidation in all areas. The Orleans County Assessors are setting up a committee to look at the pros and cons of county-wide assessors.

**Zoning/Code Enforcement** – Dan Strong reported six building permits were issued last month. Spoke of CW Cold Storage. The two campground projects are moving along. A building permit was issued to Chris Lane for a new 2,000 sq. ft. home on Gulf Road. There should be a new home going up on Holley Road in the near future. Lynda has had discussions with residents regarding vehicle clean up. She had a good response from Mr. Moyer getting things cleaned up and moved before his court date.

**Supervisor** - The Town received a response from Assemblyman Hawley and Senator Maziarz to the resolution that the Town Board passed last month regarding the state taking the siting of wind towers out of the communities hands. Both are in agreement that it should stay in the communities hands. If passed, the local communities would only have one representative on the siting committee.

**Correspondence** –

- Rural Development request for obligational funds, which has been approved for Water District 13.
- Supervisor Lehning received notice last week of a special meeting with EDA to talk about possibly getting funds from

*Restore New York.* The notice came out ten days ago and leaves very little time to meet the application deadlines and the criteria is pretty extensive. After discussions with Stu Brown and Mayor Kenny, Stu agreed to do this. Mayor Kenny will file a letter of intent. Stu will check with Albany to see if the criteria can include people on SSI.

- UAP complimenting Murray Highway Dept. on the job they did on the ditch and draining on Hindsburg Road.
- CRA Infrastructure and Engineering – If the Town gets involved with an application for wind towers, they’d be glad to be of assistance.
- County Planning Board minutes from June 28<sup>th</sup> meeting.

**Old Business** – Rural Development has approved our application for grant funding of \$382,000 for Water District #13. Motion by Christ, Seconded by Wagner, to adopt the Loan Resolution for Water District #13 accepting grant funding from Rural Development of \$382,000 and committing to borrow the local share of \$223,000 to be financed through Rural Development.

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

Ayes	5	Wagner, Christ, Bower, Morriss, Lehning
Nays	0	
Absent	0	

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

**New Business** – Brief discussion regarding the extension of the Water District #11 line. Motion by Morriss, Seconded by Christ to adopt the Type II New York State Environmental Quality Review (SEQR) Resolution for the installation of approximately 500 ft. of water main, valves, hydrant and water service along Lynch Rd., between the existing water main located near the intersection of Lynch Rd, and NYS Rt. 31 and 500 ft. to the west, within the existing Town of Murray Water District #11.

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

Ayes	5	Lehning, Wagner, Christ, Bower, Morriss
Nays	0	
Absent	0	

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

Discussion of extending the district another 1,500 ft. Kevin Diehl has requested the water line be extended an additional 1,500 ft. to run down Lynch Rd past Hickory Ridge dining hall. Paul Chatfield

explained that as a result of extending the line, an additional bond repayment unit will be picked up at the intersection of Paddleford Rd and Lynch Rd. Kevin has offered to pay \$6,000 towards the cost of the pipe and also provide the excavator and operator. The Town would be responsible for any additional materials. Ed Morgan thinks it will benefit the Town with the bond repayment alone. Jeff Martin thinks it would be better if this were an extension of Water District #11 rather than it being a 'stand alone' district. Paul will come up with a number and get it to Jeff.

Paul Chatfield gave a report on the construction of Water District #12. He is working on getting Water District #13 plans ready for Health Department approval. We should be able to go out for bids this year. We are still waiting to hear from the Governor's office on Water District #14.

Stanley Kemp questioned whether his area will be within the next water district. Discussion regarding this. Ed Morgan stated that a canal crossing on would cost between \$50,000 - \$75,000. A smaller water district has a better chance of being approved than a large one. This is the reason for the last few small districts.

Supervisor Lehning asked board members to study the figures that were passed out regarding wind energy application fees. This will be discussed at the next board meeting.

**Attorney Jeff Martin** – The Article 7 that was filed by Brockport Country Club has the return date September 10<sup>th</sup>. Jeff will keep the Board informed. Ed Morgan asked Jeff if he has had any response regarding the Water District #11 as-builts. Jeff will follow up on this once again.

**Town Clerk** – Cindy reported July receipts of \$821.80 and revenues for the general fund of \$581.55. Cindy passed out a tentative schedule of events that are being planned for the Town's bicentennial celebration next year.

**Highway and Water Superintendent** – Motion by Wagner, Seconded by Morriss authorizing Highway Superintendent to take the old Ford 2600, the flail mower and the '99 Dodge pick-up to the Municipal Auction.  
Motion Carried

Resident Joe Sidonio asked about new water districts that the Town is forming. Discussion regarding this. Jeff Martin explained the difference between the original proposal of a huge district and a small district.

Councilman Morriss would like submissions from all departments for the Town newsletter given to him or Cindy by the 20<sup>th</sup>. Councilman Morriss informed all that Judge Passarell spoke to him regarding a need for court security on District Attorney nights. Judge Passarell thinks that we could hire an off-duty Holley Police Officer or County Sheriff for \$50 each District Attorney night. Discussion regarding this. Motion by Morriss, Seconded by Bower authorizing the Justice Court to pay for security on District Attorney nights at no more than \$50 per night to be charged to the Justice Court contractual. Motion Carried

Supervisor Lehning gave each department forms to submit their budgets. They need to be returned to him by September 4<sup>th</sup>. The preliminary budget needs to be completed by September 30<sup>th</sup>.

George Marriott was present to answer questions regarding Mark Taylor and Lori Rife complaints. He explained that the D.E.C. has been stopping by the restaurant for the past couple of weeks. The Health Dept. has been doing so for the past month at least. Both organizations have no problem with the running and condition of his business. George is subject to inspection by Dan Strong once a year as he is a public assembly. It was suggested that George put a fence around three sides of his dumpster with the opening towards the woods. George said he will put a lock on his dumpster to ensure it is always closed. Dan Strong told him to take care of the three items Mr. Taylor brought before the Board.

Supervisor Lehning announced that the Comprehensive Plan Committee has just about completed their work. They will be meeting jointly with the Town Planning Board to discuss their recommendations. At that point they will come to the Board and have a report at the October meeting.

Legislator Kenneth Rush invited all to the Nursing Home open house on September 22<sup>nd</sup>. Legislator Rush is looking for input for names for each of the four wings of the Nursing Home. He will also be putting a report together regarding the County's need for a new jail and where we stand regarding this. He will have a report within the next two months.

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 244-283	Total \$15,705.69
Highway Fund	Claims 173-201	Total \$49,434.94
Water District No. 1	Claims 41-47	Total \$ 751.84
Water District No. 2	Claims 53-61	Total \$ 6,495.50
Water District No. 3	Claims 60-67	Total \$ 2,310.26
Water District No. 4	Claims 35-40	Total \$ 120.68
Water District No. 5	Claims 30-35	Total \$ 66.34
Water District No. 6	Claims 60-69	Total \$ 554.96
Water District No. 7	Claims 38-43	Total \$ 310.87
Water District No. 8	Claims 36-41	Total \$ 202.19
Water District No. 9	Claims 35-40	Total \$ 66.34
Water District No. 10	Claims 55-62	Total \$ 750.12
Water District No. 11	Claims 62-75	Total \$ 3,389.76

Motion by Wagner, Seconded by Christ to adjourn the meeting  
Motion Carried

Meeting adjourned at 8:40 pm by Supervisor Lehning.

Respectfully Submitted,

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Cynthia L. Oliver