

## Murray Town Board Meeting

August 9, 2011

Present: Supervisor John Morriss, Councilwoman Kathy Case, Councilmen Lloyd Christ, Ed Bower and Paul Hendel, Highway and Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Attorney Jeff Martin, Assessor Lynn Wood, Nick Quaranto, Legislator Kenneth Rush, Town Justice Ted Spada, Joe Sidonio David Paul, Kathy Britt, Tony Gianni, Planning Board Chairman Charlie Felice, Stan Kemp, Bob Miller, Dean Newman, William Coots

Meeting called to order by Supervisor Morriss at 7:00 P.M.

Pledge to the flag.

Cindy informed the Board that she made a correction to the July minutes on page 2. Sandy Creek was not the party that put up a building without a permit. It has been corrected to read: *The owner of the property behind Sandy Creek Cemetery began putting up a building without a permit. Ron contacted them and the building is now down.* Motion by Christ, Seconded by Hendel approving the minutes of the July Board meeting as corrected. Motion Carried

Legislator Kenneth Rush spoke briefly about Sigma Heart Pumps, a business in Medina that employs about 730 people. The County is beginning the budget process.

Richard Downey entered the meeting.

Assessor Lynn Wood informed all that the actual equalization rate is 99.95%. Lynn and Nick are on the road two times per week updating property files. The NYS Assessors conference will take place September 11<sup>th</sup> – 14<sup>th</sup>.

George Karpenko entered meeting.

### Old Business:

Building Committee – Discussed the quotes they have received thus far. We can act on getting the floor poured and walls done. We are going to have to bid on the construction material as the quote came in for over \$20,000. A resolution is needed so we can go ahead with the wall, floor and footers. In the floor we have to still do plumbing fixtures for the toilets and some work needs to be done on the existing building before we can begin. Ed Morgan informed all of the quote amounts for electric and labor, heating and cooling, bathroom which is around \$135,000 for the entire project. Ed is concerned about getting heat in this fall, even if it is temporary. The propane tanks have to be moved and gas line needs to be re-routed inside the building. When walls are up we can put the plumbing in for the bathrooms. Floor could be poured first part of September and still have two months to get it all enclosed. Motion by Christ, Seconded by Bower authorizing

Building Committee to move forward with the cement for the floor, the poured walls and anything that must to be done prior to the floor being put in. Motion Carried

**Town Justice Ted Spada** informed the Board that the Court has grant money left over. For seating for courtroom, he went to six vendors. The high bid was \$18,000, low bid was \$12,600. After reviewing the quotes, Councilman Hendel stated if there is less than \$3,000 difference between the two lowest quotes we should go with the better quality. Ted will ask the company if we can pay now, as the grant money needs to be spent and have the company ship them in the spring when we will be ready for them. This way we don't have to be concerned with the storage of the benches.

Code Enforcement Officer Ron Vendetti entered the meeting.

Motion by Hendel, Seconded by Case approving the purchase of court benches from Quality Church Furniture at a cost of \$17,700 paid for by the Justice Court grant funds. Motion Carried

Town Board authorized Ted to get quotes for a rail between the attorney tables and the public seating as there will be about \$2,000 left over in grant money.

**Property Management Cost** – Discussion regarding the hourly charge to homeowners for the mowing of their properties that are not maintained. If \$150/hour too steep? Supervisor Morriss stated that the Villages of Holley and Albion charge the same. Ron said it is not merely a matter of looking at the property and having someone mow it. It involves trips to the property, letters, phone calls, etc. Councilman Hendel thinks the charge needs to be a little bit punitive but is not sure what that cost should be. Legislator Rush said the County is no longer picking up mowing costs as it has in the past. Board is in agreement that we need to decide what our actual costs are and also making it punitive as there are better uses of Town funds and manpower than mowing someone's property. Jeff's concern is if a property owner challenged us with the cost we are charging. Maybe we can speak to Tom Baldwin and see what they think as far as justifying our cost. Between now and the recessed meeting we can make a better determination and discuss it then.

**Zoning Board Vacancy:** David Nenni is willing to serve on the Zoning Board of Appeals. Motion by Hendel, Seconded by Case appointing David Nenni to the Town of Murray Zoning Board of Appeals to a term ending December 31, 2015  
Motion Carried

Training needs to be completed by the end of the year. All Planning and Zoning Board members need to complete 4 hours of training each year. 4 hours on an annual basis. This needs to be completed by the end of the year.

Budget worksheets need to be handed in to John or Cindy by August 19<sup>th</sup>.

**Code Enforcement:** Many grass, pool and property maintenance letters have been mailed. Ron sent condemnation letter to the owner of the Wishing Well property. The grass and weeds have been cleaned up and within the next two weeks clean up of the pile will be started.

The Town Board was updated on the status of the Turkstra house on Canal Road that burned a couple of years ago. The abatement is done and the building will be removed shortly.

Ron has requested that Mr. Coots and Ms. Britt begin the process of removing the buildings on their properties. The Town extended the time limit for the DePalma's when they owned the property. We then extended it for the present owners while the purchase of their property went through. We are still waiting and Ron doesn't think a good-faith effort has been made to clean up the property. Some clean up has been done but it does not meet the requirements of the code. One building is down and also a small shed has been taken down. What remains is not in compliance with NYS Building Code. Ron stated we cannot expect others to get in compliance if we are not going to enforce the code everywhere. They knew this was a requirement when they bought this property. A recommendation from Ron is needed before the Board can make a determination. Ron has asked for a schedule in writing from the owners so he can monitor the progress being made, but has not received one.

Discussion regarding the Wishing Well property. Jeff Martin informed the Board that the executrix of the estate cannot close on the refinance until they have a release from the Town of Murray as we previously placed a lien on the property. They are all set to close except for this lien. Rich Truesdale who will be doing the clean-up is in the process of getting figures together. Attorney Carl Copeman is willing to hold the money in escrow so that money is secured for Rich Truesdale. Jeff is reluctant to release the lien but Ron thinks all parties are acting in good faith. Hopefully Jeff will have more information by the reconvened meeting

**New Business:** Supervisor Morriss gave a copy of a letter from EDA regarding the grocery store opening in the Village. There is a public hearing on Thursday at 9:00 A.M. at the village office. Jeff Martin explained a bit about the taxes and pilot payment. Ron stated that the Town will be getting what we are presently getting, but the first year we will not be getting the increase. Supervisor Morriss asked Councilman Christ if he could attend the public hearing as John has a meeting that morning with Rural Development.

Supervisor/Legislator meeting will take place on August 23<sup>rd</sup> at 6:30 P.M. at the Village Inn. Senator Maziarz and Assemblyman Hawley will be speaking.

**Attorney Jeff Martin** reported the Village filed with the Town, their findings on the annexation of the property into the Village. The Village still needs to adopt a local law.

Supervisor Morriss, Jeff Martin, Councilman Hendel and Ed Morgan will be meeting with Rural Development on Thursday to discuss where we are going with the water district. It looks like we would need to get controllers approval of that project. There are new rules for Rural Development financing that they will be discussing with us on Thursday. Supervisor Morriss spoke to Clarendon Supervisor Dick Moy about their process. He said they avoid going through Rural Development as they BAN it every year. They plan on 5% interest rate and if it is less, they pay down the principal. This may be an option that could be discussed if needed.

**Town Clerk:** July receipts totaled \$896.00 with \$672.39 going into the General Fund.

In July the Orleans County Town Clerk's Association spent a day on the road touring local business in different towns within the County. Places visited and toured were Western NY Energy LLC in Shelby, Orleans Animal Shelter in Barre, Oak Orchard Gallery and Intergrow Greenhouses, Inc. in Gaines, Holley Waterfall and Canal Park in Murray and Leonard Oaks Estate Winery in Yates and Shelby. The Association hopes to plan another tour of local businesses in the fall.

**Highway and Water Superintendent:** Road work has been completed except for some sealing. The County Snow and Ice Contract has been signed and sent back. Ed spoke of a couple of positive changes in the contract.

The agreement to help State DOT on a road project in 2011 has been signed.

Ed informed the Board of the potential for our water rates from Albion to increase. Ed is working with Jeff Martin on this situation. He will keep the Board informed.

It is time to replace the '96 Ford with a new 10-wheeler. Ed will report back with final figures/cost at the next meeting.

Public Comments: Kathy Britt spoke of the property that she and Mr. Coots own on the Fancher curve. Code Enforcement has requested a work timeline from them as he needs to monitor their clean up progress. They received a demolition permit on May 2, 2011 and if that permit is good for a year, Ms. Britt thinks they should have a year to complete the demolition. Supervisor Morriss informed Ms. Britt and Mr. Coots that the Town wants a timeline from them. Ron needs to be able to monitor progress being made. They are willing to work with Ron but they cannot complete everything at once.

Town Justice Spada informed the Board that he will be applying for another Justice Grant from the court system. If we are approved, the grant money would go towards purchasing furniture for the judge's chambers and for computers.

Dean Newman of 4014 S. Fancher Road asked about the process of getting a speed limit reduced. Highway Superintendent Ed Morgan informed him that Fancher Road

is a county road. Mr. Newman will give the information to Ed and Ed will let him know who to speak to.

Motion by Christ, Seconded by Case approving the Supervisor's financial report and to pay the following bills: Motion Carried

General Fund	Claims 248-382	\$9,225.70
Highway Fund	Claims 173-187	\$94,203.28
Water District No. 1	Claim 23	\$538.20
Water District No. 2	Claims 39-41	\$164.09
Water District No. 3	Claims 33-35	\$3,227.36
Water District No. 4	Claims 16-17	\$1,137.88
Water District No. 5	Claim 16	\$486.33
Water District No. 6	Claims 41-44	\$181.69
Water District No. 7	Claim 17	\$3,812.88
Water District No. 8	Claim 16	\$2,255.04
Water District No. 9	NONE	
Water District No. 10	Claims 31-33	\$388.25
Water District No. 11	Claims 57-64	\$9,565.47
Water District No. 12	Claim 16	582.45
Water District No. 13	Claim 17	\$853.14
Water District No. 14	NONE	
Water District No. 15	Claim 3	\$900.00
Water District No. 20	Claim 5	\$1,170.54

Motion by Hendel, Seconded by Bower recessing the meeting until Tuesday, August 30<sup>th</sup> at 4:30 p.m.

Respectfully Submitted,

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