

**Town of Murray Board Meeting Minutes**

December 11, 2007

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Legislator Kenneth Rush, Code Enforcement Officer Lynda Woolston, Assessors Lynn Wood and Nick Quaranto, Highway & Water Superintendent Ed Morgan, Town Attorney Jeff Martin, Town Clerk Cindy Oliver, Joe Sidonio, Mark Taylor, Carli Taylor, Richard Downey, George Patterson, Leon Randall, Taryn Hilliker, David Paul

Pledge to the flag.

Motion by Christ, Seconded by Wagner to approve the minutes of the November board meeting as submitted. Motion Carried

**Assessor:** The Assessors have mailed out applications for senior STAR exemptions. They are also getting the building permits entered into the system.

**Supervisor:** Supervisor Lehning sent three requests to planners for quotes to prepare and update our Comprehensive Plan. He has received two and is waiting for the third. He will hopefully have this by January. When this is complete, we will have the Code of Ethics updated.

**Mark Taylor** of 16351 Ridge Rd., discussed the minutes from last board meeting. He feels some things were incorrectly reported in the minutes and certain parts of the meeting he had with Joe Cardone were incorrectly reported. Jeff Martin stated that he had a conversation with Joe Cardone sometime after the meeting took place. Jeff reported to the board that he had this conversation with Joe Cardone and informed them what Joe Cardone said regarding the meeting. Jeff told Mr. Taylor that Joe Cardone told him he would be preparing a memorandum of understanding for both parties to sign and that is what he reported to the board. Mr. Taylor stated that there is no memorandum of understanding. Mr. Taylor also questioned how Dan Strong and Lynda Woolston were hired. Supervisor Lehning told him that he contacted them both to see if they were interested in the job after the previous CEO resigned. They are both appointed by the Town Board, are highly qualified and Dan Strong is number one on the civil service list. Mr. Taylor questioned how one would go about removing them from their positions. He has a petition he will be turning in to the board.

**Correspondence:** Supervisor Lehning spoke about the health insurance cost increase.

**Code Enforcement/Zoning Officer:** Lynda gave a brief report regarding the 79 building permits issued to date. There will be two houses finalized within the next couple months. Lynda has been receiving many questions via e-mail through the town website.

**Old Business:** Discussion of water district no. 13 potential extension, which entails extending the line to the west another 6,500 ft and encompasses eight more houses. This will lower the cost for everyone in the district. Jeff said the legal description will have to be changed to incorporate the additional footage and the additional property owners will probably have to sign the petition. We will proceed with the necessary paperwork to Rural Development.

**New Business:** Supervisor Lehning received a request from the Justice Court asking the board to pass a resolution establishing a standard fee for dishonored checks.

Motion by Wagner, Seconded by Bower authorizing the Town of Murray Justice Court to collect a \$20.00 fee for dishonored checks.

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 regarding proposed water district no. 15 and 16. Ed Morgan went over the results of the surveys that he passed out to board members. Surveys were sent to residents on Carton Rd., Groth Rd, Skillington Rd., N. Main St. Rd, Telegraph Rd, Hurd Rd and Lynch Rd. The only road that surveys came back for without a favorable response was Hurd Rd going south; eight surveys were sent out and only one was returned that wanted water. Ed stated that at this point he thinks Stu Brown could start the process with income surveys. Joe Sidonio does not think putting a water line into an agriculture district should be a priority. If water is coming to Hurd Rd, Mr. Sidonio would appreciate if the board would have a conversation with his family regarding this. Ed Morgan stated that based on the results of the returned surveys, he did not think a water line would be going south on Hurd Rd. The results for that area were not favorable for a water line. Supervisor Lehning stated that once it is decided the areas we’d like to cover, our grant writer will send income surveys to property owners in that defined district. Motion by Morriss, Seconded by

Christ authorizing Supervisor Lehning to approach Stu Brown Associates to see if they are interested in going forward with this study  
Motion Carried

Richard Downey requested copy of names and addresses of residents/properties involved.

Mr. Sidonio was under the impression that once a water district is established, it cannot be modified. How can water district no. 13 be changed now? Once a district is formed, it can be modified but the town has to go through the approval process again. We need to redo the proceedings and start the approval process again for a larger district with different boundaries. Since the project came in quite a bit under what we had projected, we're able to spend that additional money. If you don't spend it, you still have to borrow the same amount. It would be an obvious benefit to extend the boundaries of water district no. 13, bring water to another eight residences and lower the cost for everybody.

The town contributes toward the support of Educable Communications Corporation (Channel 12). We've been contributing 4% of the franchise fees which has been around \$1,369. The new contract is now asking for 5% of the franchise fees. Supervisor Lehning does not have an exact figure as we don't know what the franchise fees are going to be. Motion by Christ, Second by Wagner authorizing the Supervisor to sign the new contract with Educable Communications Corporation. Motion Carried

**Attorney Jeff Martin**: Jeff drafted revisions to the Town's leash law. These revisions are being incorporated because there was an incident where a resident's dog was attacked by another dog. There is presently nothing in the leash law that addresses a dog attacking another animal. This could be introduced tonight and a public hearing can be scheduled before the January board meeting. Jeff went over the additions to the present law. Motion by Morriss, Seconded by Bower introducing Local Law No. 1 of 2008. Motion Carried

After reducing the size and changing the configuration of their shed, the Schneiders were given approval for an area variance from the Zoning Board of Appeals.

Jeff updated the board regarding the Brockport Country Club (Friesland) Article 7 Proceeding. They will be paying to have their property appraised. They are challenging the assessment in Murray

as well as their assessment in Clarkson. As soon as that appraisal is available, Jeff will make sure the Assessors get a copy.

Frank Spiotta assured Jeff that the as-builts for water district no. 11 would be completed and delivered last Friday. We still have not received them. Jeff will get back in touch with him and if we do not receive them, he will file a complaint with the licensing authority as he has had ample opportunity to comply.

Motion by Morriss, Seconded by Bower that the board enter into executive session to discuss the Thomas Carbone pending litigation.  
Motion Carried Board entered into executive session at 7:45 p.m.

Motion by Christ, Seconded by Wagner to return to the regular board meeting. Motion Carried Board returned to regular board session at 7:56 p.m.

**Town Clerk:** Receipts for November totaled \$1,361.20, with \$206.78 going into the general fund.

To make the DEC Automated Licensing System more efficient, the DEC will be moving entirely to an internet based system. This changeover is scheduled for January-February 2008. Each town must have their own internet service provider. DEC will be shipping boxes to return the existing computer. This should make sales much faster as it will no longer be dial-up.

The 2008 County & Town tax bills should be ready within the next week or so. Once all the bill requests are completed, bills will probably be in the mail on December 31<sup>st</sup>.

**Highway and Water Superintendent:** Clarkson has formed their Countyline Rd water district and it should be going to public hearing soon.

The County Health Dept. in conjunction with Engineer Clark Patterson did a review/inspection of the Town of Murray water districts. This is done every two years or so. Just a couple minor things were brought to Ed's attention. Our emergency respond plan is not up to date. They've asked us to improve security by replacing locks on all pits and have the keys stamped 'do not duplicate'. The Health Dept. has still not received water district no. 11 completed as-builts and the as-builts for the extension from Lake Rd to the IDA Park. They've sent a letter to Frank Spiotta letting him know of their concerns.

A cemetery lawn mower is needed. There is over \$3,500 in the cemetery fund that has not been used. State bid is \$3,810 for a mower with same horse power and size as the mower we have now which was purchased in 1982. Motion by Christ, Seconded by Bower authorizing the purchase of a 22-horse, John Deer lawn mower for the cemetery. Motion Carried

County Soil & Water and County Highway are applying for a grant for a slash buster for the county excavator and are asking all ten towns to support the Shared Municipal Service Incentive grant application. We would have use of the excavator and slash buster with the same type of arrangement we have for the boom mower; supplying fuel when working in our town and some manpower when needed. Motion by Wagner, Seconded by Christ to support the Shared Municipal Service Incentive grant application, with Orleans County Soil & Water Conservation District being the lead agency to purchase a slash buster for the County excavator. Motion Carried

After brief discussion it was decided that Ed should add to the TE9 request that the speed limit for the whole stretch of Ridge Rd be evaluated instead of just in the hamlet of Murray.

Supervisor Lehning briefly went over some budget report items. There will be a short, year-end meeting on December 18<sup>th</sup> at 4:00 p.m.

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

General Fund	Claims 403-448	Total \$25,928.45
Highway Fund	Claims 271-286	Total \$77,517.31
Water District No. 1	Claims 58-61	Total \$ 366.74
Water District No. 2	Claims 79-82	Total \$ 338.05
Water District No. 3	Claims 83-87	Total \$ 2,648.95
Water District No. 4	Claims 49-51	Total \$ 296.39
Water District No. 5	Claims 44-46	Total \$ 295.39
Water District No. 6	Claims 86-90	Total \$ 3,242.13
Water District No. 7	Claims 52-54	Total \$ 304.39
Water District No. 8	Claims 50-52	Total \$ 300.39
Water District No. 9	Claims 50-52	Total \$ 295.39
Water District No. 10	Claims 81-86	Total \$ 3,687.89
Water District No. 11	Claims 100-106	Total \$ 855.79
Water District No. 12	Claims 6-10	Total \$ 1,408.71

Legislator Kenneth Rush gave a brief report on the County budget and nursing home.

Motion by Christ, Seconded by Wagner that the meeting be recessed until December 18<sup>th</sup> at 4:00 p.m. Motion Carried

Meeting recessed by Supervisor Lehning at 8:30 p.m.

Respectfully Submitted,

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Cynthia Oliver