

Town of Murray Board Meeting

December 8, 2009

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Highway and Water Superintendent Ed Morgan, Town Clerk Cindy Oliver, Code Enforcer Ron Vendetti, Assessor Lynn Wood, Nick Quaranto, Paul Hendel, Kathy Case, Richard Downey, Joe Sidonio, Anthony Gianni, Mark Taylor, George Karpenko, Holley High School students; Michael Pernicano, Macy Reyngoudt, Jessica Bower, Cortney Quaranto, Jessica Dill, Meghan White, Josh DeLuca

Pledge to the flag.

Motion by Wagner, Seconded by Bower approving the minutes of the November 2nd Public Hearing and the November 10th Town Board Meeting as submitted.

Motion Carried

Mark Taylor of Ridge Road stated he is frustrated and voiced concerns regarding the property next door to his residence. Some of the issues he spoke about were construction debris being burned, debris sitting at the end of the driveway, smoke from neighbors wood stove permeating his house, vegetable stand that is out front of the residence with produce that is not grown on property as stated in the Town Zoning and people stopping at the stand at all hours of night, now the neighbor is selling wreaths also. Mr. Taylor stated he has tried to contact the Code Enforcement Officer several times but has gotten no return phone call. He asked if Mr. Marriott had a permit for the wood stove. Code Enforcement Officer Ron Vendetti said that when Mr. Marriott originally got the original building permit, he asked Ron to include on the permit that there will be a woodstove installed also. Ron said the woodstove not being included is his fault as he forgot and did not alter the permit. As far as the smoke that is bothering him, there is nothing that can be done, as there is nothing that directs smoke from a woodstove. He has a right to have it. Ron spoke to Mr. Marriott about the vegetable stand and Mr. Marriott said he has a garden out back. Ron explained he does not have the time to answer phone calls during the day, but he checks his messages in the evenings and had no messages. Mr. Taylor said personally came in and the Town Clerk's office left a message for Ron to contact him. Supervisor Lehning said that the vegetable stand is a zoning issue and he will have Lynda contact him within the next couple days regarding this. Mr. Taylor said he would e-mail her. Supervisor asked that he copy the Town Clerk in on the e-mail.

Assessor

Sales are coming in slow. A house on Skillington Road assessed for \$120,000 sold for \$122,000. The village sales are very slow, but the sales that have gone through are near assessment or over assessment. Currently working on 2010 update and the office is preparing exemption renewals that will be mailed next week.

Code Enforcement Officer

Ron informed all that he has been working with the owner of the buildings and property on the curve in Fancher for close to a year now. Some progress has been made but we have been at a stand-still. Nothing has been filed with DEC regarding taking the buildings down, no asbestos report. He doesn't know how many of these unsafe buildings the Town can handle at one time but maybe we have to take the next step with these buildings on the curve. At next meeting, Ron can have a report on these buildings and maybe we should start the process that the owner either have the buildings demolished or the Town will. Attorney Jeff Martin said that once the proper procedures have been completed and the owner does not comply, the Town would step in and incurs the expense but those expenses will be added on to the taxes. It is a complicated process but the procedures have to be followed.

Regarding the Wishing Well Motel property; Notice of Default was served on November 18th. Regarding the property on Canal Road; Ron submitted a report that recommends demolition and removal of the building. If the Board accepts the report recommending demolition a public hearing will be scheduled.

Correspondence

- Notice from Stuart I. Brown Associates regarding the next round of state grants.
- Orleans County Office of the Aging annual public hearing results.

Old Business

Councilman Morriss submitted report of Justice Court audit. Results of the audit were good, and all books/records/banking is in order. Motion by Christ, Seconded by Bower accepting the Town of Murray Justice Court Audit.
Motion Carried Cindy will send a copy of the resolution to Office of the Court Administration.

New Business

The 2010 Town Animal contract needs to be approved and signed. The contract is the same as we have had in the past. This helps the Town as we do not have to pay for a local Animal Control Officer. Motion by Wagner, Seconded by Morriss authorizing the Town Supervisor to sign the 2010 Town Animal Contract
Motion Carried Cindy will send signed copy to Sheriff Hess.

Water District No. 13 resolution that will go to Rural Development at closing.
Motion by Morriss, Seconded by Wagner accepting the Water District No. 13 water project as constructed Motion Carried

The year-end meeting will be held on December 22nd at 4:00 p.m.

Attorney

Motion by Christ, Seconded by Bower accepting the Code Enforcement Officers report recommending the property at 3383B Canal Road be demolished and removed Motion Carried Jeff will get the owner who lives in Canada served and will schedule hearing.

Jeff informed the Board of a matter for the Zoning and Planning Board. Crop Production Services, Inc. has made application for a building permit to construct a storage building on its property on Hindsburg Road. They are in need of a variance with respect to the setback on the south side. Both Zoning and Planning Boards have vacancies that have not yet been filled and because of this we do not have a quorum for the Zoning Board. In 2003, the Town Board adopted a resolution which provided for the appointing of alternate members to the Zoning and Planning Board. As David Paul previously expressed interest in serving on one of these boards, would the board consider appointing him to an alternate position so we can move forward with the application of Crop Production Services? Motion by Bower, Seconded by Morriss appointing David Paul as an alternate member of the Town Zoning Board of Appeals. Motion Carried

As Paul and Kathy are the chairpersons for their respective Boards, there are now two more positions that will have to be filled.

The Village of Holley will hopefully be approving the fire and rescue contracts this evening. The three originals will be filed with Cindy and we will be set until 2012.

The Richardson appeal went in front of Judge Punch; Mr. Richardson appealed it to the appellate division. Attorney James Bell is willing to do our appellate work on an hourly basis of \$175/hour. Motion by Wagner, Seconded by Christ that the Town of Murray retain James D. Bell, Esq. as special counsel for representation in connection with the appeal of James and Ethan Richardson at an hourly rate of \$175 plus disbursements. Motion Carried

Town Clerk

November receipts totaled \$1,142.22 with \$230.78 going into the general fund.

Cindy received notice from Murray Superette that they are renewing their application for the On-Premises Alcoholic Beverage License.

The office is preparing for tax collection. Have received many request for tax bills from banks. Once the bills are delivered to the Town, they are separated, and individual bills that are escrowed must be sent to each bank. All others are mailed to the individual property owners.

We have received written notice from Kathy Case, resigning from her position on the Zoning Board of Appeals and as Chairperson of that Board, effective December 31, 2009. We also received written notice from Paul Hendel, resigning from his position on the Town Planning Board and as Chairman of that Board, effective December 31, 2009. Motion by Bower, Seconded by Morriss accepting the resignation of Kathy Case from the Zoning Board of Appeals effective December 31, 2009 and accepting the resignation of Paul Hendel from the Town Planning Board effective December 31, 2009. Motion Carried

Highway and Water Superintendent

Ed discussed possibly raising the water rates 25¢. Discussion regarding the situation of Monroe Water Authority and the Village's water system.

The rubber tracks on the mini excavator need to be replaced. Admar is offering zero percent for three years. Ours is six years old and we bought it used. Ed would like to put it out for bids and see what happens.

Ed went over the quotes on roof for the salt shed. He would like to get started now as we wouldn't get billed until January. It should take about a week and it is in the budget for next year so may as well do it now while we can. Motion by Wagner, Seconded by Morriss approving the purchase of the steel roofing material needed for the salt shed. Motion Carried

The septic tank had to be pumped. The discharge baffle was lying at the bottom of it. Ed fixed it today plastic parts and retro fitted it. Ed will make note of this in the building maintenance sheet.

Motion by Morriss, Seconded by Wagner approving the Supervisor's financial report and that the following bills be approved and paid: Motion Carried

General Fund	Claims 405-433	Total	\$16,005.28
Highway Fund	Claims 269-283	Total	\$ 8,398.17
Water District No. 1	Claims 27-30	Total	\$ 4,433.62
Water District No. 2	Claims 56-60	Total	\$ 1,057.31
Water District No. 3	Claims 43-46	Total	\$ 914.36
Water District No. 4	Claims 17-18	Total	\$ 175.00
Water District No. 5	Claims 17-18	Total	\$ 175.00
Water District No. 6	Claims 57-65	Total	\$ 4,791.28
Water District No. 7	Claims 23-24	Total	\$ 250.00
Water District No. 8	Claims 20-21	Total	\$ 275.00
Water District No. 9	Claims 11-12	Total	\$ 125.00
Water District No. 10	Claims 37-42	Total	\$ 1,073.66
Water District No. 11	Claims 75-81	Total	\$ 1,357.74
Water District No. 12	Claims 16-17	Total	\$ 150.00
Water District No. 13	Claims 25-27	Total	\$ 662.50
Water District No. 14	None		
Water District No. 20	None		

Meeting recessed until December 22, 2009 at 4:00 p.m.

Respectfully Submitted,

Cynthia Oliver