

Town of Murray Board Meeting Minutes February 13, 2007

Present: Supervisor Henry Lehning, Councilmen John Morriss, Ed Bower and Lloyd Christ, Highway & Water Superintendent Ed Morgan, Attorney Jeff Martin, Assessors Lynn Wood and Nick Quaranto, Code Enforcement/Zoning Officer Dan Strong, Town Clerk Cindy Oliver, Highway Clerk Karen Clark, Sandy Shaw, David Paul

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

Pledge to the flag.

Motion by Christ, Seconded by Bower to approve the minutes of the organizational meeting and the January board meeting as submitted.
Motion Carried

Supervisor: A fax was received from HO Properties Group regarding housing on Ridge Road. They are requesting a letter of support from the Town of Murray. It was agreed that the information should be forwarded to Planning Board Chairperson Paul Hendel.

Assessors: Lynn wood reported that the update is progressing. They have about 25% left to do. All assessors in the county would like to have their numbers together by the end of the week. Notices will be sent to property owners shortly after March 1st along with notices in the paper to alert property owners what to expect. Supervisor Lehning suggested putting the information on the website also.

Lynn shared Elliott Spitzer's speech regarding real property with board members.

Zoning/Code Enforcement: Dan Strong reported four different structures were finalized this month. Four permits were issued in January; two re-roofs and two pole barns. Many inquiries this month regarding zoning issues.

Dan informed all present of the wind energy meeting sponsored by the Towns of Albion and Gaines on February 26th. Dan handed out copies of the article.

Councilman Morriss asked if any progress has been made regarding the clean up of Hurd's building. Lynda spoke to them about this in November. Councilman Morriss thinks something should be done. The Town has given them more than enough time.

Correspondence:

- I love NY campaign, 'learn to ski'
- Pamphlet on revision on enhanced empire zone
- NYMIR-notification on enhanced coverage at no extra cost
- Farm Bureau Chamber of Commerce - 9th annual farmer to neighbor evening
- Orleans County Chamber of Commerce annual legislative luncheon; Senator Maziarz and Assemblyman Hawley to be present
- Red Cross steak dinner and Chinese auction - \$20.00/person
- New State Law requires health insurance to cover mental health
- US Dept. of Commerce - Census 2010 literature
- Conference on farmers market
- Supervisor/Legislators meeting on 23rd. Will have report from Economic Development
- Town Highway Department was recognized at the January school board meeting for resolving a drainage problem. Certificate of recognition was received.
- Notice from the Board of Elections - State Law was passed that inspectors receive a minimum of \$8.12/hr. Also \$25.00 for training.

Sandy Shaw of the Holley Free Community Library was present and invited all to a student art show at the library on April 16th at 6:30 p.m. Students from Holley and Kendall school districts grades 9 through 12 can enter. Sandy asked that one person from the board be a judge. She also asked for \$20.00 for gift certificate for awards. Board members and others present gave donation.

Old Business:

Water District 12 - Motion by Bower, Second by Morriss authorizing the issuance of \$549,569. serial bonds of the Town of Murray to pay the cost of improvements in connection with the establishment of the water district no. 12 in and for the Town of Murray. Upon being put to a roll call vote, the vote was as follows:

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

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

Water District 13 – Jeff filed petitions signed by district residents in the clerk’s office. Total assessment of the district is \$3,167,300. District residents that signed totaled \$1,771,000; roughly 60%. 50% is needed. The Board can adopt an order scheduling a public hearing on March 6th before the next Board meeting. Jeff gave letters for Cindy to mail to residents notifying them of the public hearing, cost, etc. Motion by Christ, Seconded by Morriss adopting an order scheduling a public hearing on the proposed establishment of water district 13 on March 6th at 7:00 p.m. Motion Carried All Board members present signed the order. (Copy of order in Town Clerk’s office)

Brief discussion regarding proposal of Orrick, Herrington and Sutcliffe LLP for bond counsel services. Motion by Morriss, Seconded by Bower that the Town Board of the Town of Murray accepts the proposal of Orrick, Herrington and Sutcliffe LLP dated January 10, 2007 for bond counsel services to be rendered to the Town of Murray in connection with the establishment, construction and financing of Water District 13 which includes portions of Creek Rd., W. Kendall Rd., and E. Transit Church Rd.

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

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

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

Motion by Christ, Seconded by Morriss that in accordance with the NYS Environmental Quality Review (SEQR) regulations, the Town Board announces its intent to serve as lead agency to conduct an environmental review of a project to extend public water service to the following areas of the Town:

- (1) Along E. Transit Church Rd., between Fancher Rd. and W. Kendall Rd.
- (2) Along W. Kendall Rd., from Creek Rd. to Murray Water District 3
- (3) Along Creek Rd., from the easterly terminus of Murray Water District 8 to tax map parcel 64.-2-8

That the Town Board accepts the Environmental Assessment Form for this project, and declares that the project will result in no major

impact and that the Town Board issues a Negative Declaration under SEQR for the project.

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

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

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

Motion by Christ, Second by Bower that the Town Board commits that it will provide the local share of Water District 13 project cost of \$614,809 plus any overruns that may be incurred to construct the proposed improvements recommended in the preliminary engineering analysis. The Town’s local share of the project cost to be provided by general obligations bonds to be issued by the Town Board consistent with the applicable laws of the State of New York.

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

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

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

Motion by Morriss, Seconded by Christ authorizing Supervisor or Deputy Supervisor to sign any required documents in connection to Rural Development for Water District 13 project.

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

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

Councilman Morriss gave an update of the bicentennial celebration committee meeting. Spoke about plans and ideas. The committee would like a commitment from the Board of at least \$20,000. Insurance, entertainment, bands for the parade etc., will cost money. Brief discussion of how the money would be disbursed. Supervisor Lehning will research this and have a definite answer at the March meeting regarding the amount and disbursement of funds.

The new chairs and caddy will be delivered on Thursday. Motion by Christ, Seconded by Morriss declaring chairs as surplus property no longer needed for Town use and authorizing the Town to give to the Exempts Club of Albion any that are left over after Town employees take what they’d like. Motion Carried

Councilman Morriss mentioned that the street light at the corner of Hurd and Telegraph Rd. is still not repaired. Ed Morgan previously sent a repair form to National Grid. Ed said he will call them tomorrow.

New Business:

Motion by Christ, Seconded by Bower to approve the contract with Gray Certified Public Accounting for \$5,500. to conduct the 2006 audit.
Motion Carried

Charlene Seilaff, Treasurer for the Historical Society sent a print out of all of their electric and water/sewer bills for last year. The Town Board agreed previously to pay 1/3 of these bills but they never sent us the amounts. All are still in agreement to pay 1/3 of the Historical Society electric and water/sewer bills.

Attorney Jeff Martin: Effective January 1, 2007, all planning board and zoning board of appeals members in New York State, as well as alternate members must complete a minimum of four hours of training each year. Members who have not completed the training required will not be eligible for reappointment. Motion by Morriss, Seconded by Christ adopting resolution requiring acceptable training for Planning Board and Zoning Board of Appeals members.

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

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

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

Jeff is in the process of putting together a junk vehicle law. He supplied Judges with an old junk vehicle law copy for them to look at. An item of question was the amount of unlicensed vehicles allowed. Judge Passarell would like something in place by the spring. The majority of the Town Board thinks no more than two unlicensed vehicles should be allowed. Jeff will get a proposed local law drafted for introduction at the March meeting.

Jeff asked Dan if a variance or permit was needed if a resident wanted to replace an older single-wide mobile home used for seasonal housing of farm workers with a newer one that would be better housing his workers. Brief discussion regarding this. Town Board asked Dan to research this matter and get back to Jeff.

Supervisor Lehning asked Jeff to start working on a local law enabling the Town to change from having an elected Assessor to an appointed Assessor. Jeff will get something together for next meeting.

Town Clerk: Cindy Oliver reported that January receipts totaled \$455.20. Revenues for the general fund totaled \$319.58.

Oleh Salamaca, owner of Murray Superette, Inc. has given notice that they are making application to the NYS Liquor Authority for renewal of their license. Their current license expires on February 28, 2007.

Michael McKain, owner of Red Oak Golf Range has given notice that he is renewing Red Oak's seasonal liquor license which will be effective April 1, 2007 through October 31, 2007.

Cindy informed the Board that in addition to the pay raise of election inspectors, the Board of Elections also informed us that training will now be required once a year instead of being every three years.

Highway & Water Superintendent: Ed reported that a garage door pillar was hit by one of the drivers on District Attorney night. This didn't hurt the integrity of the building or the door. A brace has been put under it and it will be repaired when weather warms up. DA night has gotten very dangerous in the parking area with the plows and cars coming and going.

During the cold weather there were problems with the fuel from the outside tanks gelling. No problems with the truck fuel; the only gelling that occurred was when pumping it out of the tanks.

Motion by Morriss, Seconded by Bower approving the 2007 Agreement for the Expenditure of Highway Moneys. Agreement was signed by all Town Board Members. Motion Carried A copy of the agreement is on file in the Town Clerk's office.

Highway is due to purchase a new pick-up but the state has not awarded bids yet.

Ed handed out mower/tractor prices he got off state bid. There is a 82 horse Caterpillar Challenger for \$70,744. or a 95 horse for \$78,000. We presently have a 70 horse and Ed thinks the 82 horse is more than capable. Councilman Christ asked about the building fund money that was used to purchase a truck. Supervisor Lehning and Ed explained that there never was a building fund account. There was increased surplus money in the general fund/fund balance that could have been

used if a new building was to be constructed. In 2005, at the 2006 budget preparation meeting with St. John & Baldwin, Supervisor Lehning stated he felt that with the voters turning down a new building, we should not take in any more funds for a building project. Since we were scheduled to buy a new truck and bond it as we have done in the past, the accountant suggested taking money from the general fund balance and transferring it to Highway DA account and pay for the truck saving the taxpayers interest. That is what was done. This was agreed upon at the preliminary budget meeting and the final budget meeting. That budget was approved by the Town Board.

Motion by Christ, Second by Morriss authorizing Highway Superintendent to purchase a mower/tractor based on New York State bid price of \$70,744. Motion Carried

Motion by Christ, Seconded by Bower approving the Supervisor's Financial Report and that the following bills be approved and paid:
Motion Carried

General Fund	Claims 25 - 61	Total \$ 15,702.71
Highway Fund	Claims 16 - 42	Total \$ 44,497.15
Water District 1	Claims 07 - 12	Total \$ 557.52
Water District 2	Claims 08 - 19	Total \$ 5,994.16
Water District 3	Claims 07 - 16	Total \$ 2,617.01
Water District 4	Claims 05 - 09	Total \$ 1,015.16
Water District 5	Claims 06 - 07	Total \$ 511.92
Water District 6	Claims 09 - 20	Total \$ 4,444.99
Water District 7	Claims 05 - 12	Total \$ 3,402.27
Water District 8	Claims 05 - 11	Total \$ 2,244.53
Water District 9	Claims 05 - 10	Total \$ 672.70
Water District 10	Claims 07 - 16	Total \$ 6,907.18
Water District 11	Claims 08 - 23	Total \$105,274.60

Meeting adjourned until March 13, 2007 at 7:00 p.m.

Respectfully Submitted,

Cynthia Oliver
Town Clerk