

## **Town of Murray Town Board Meeting Minutes**

February 12, 2008

Present: Supervisor Henry Lehning, Councilmen Lloyd Christ, Ed Bower and John Morriss, Town Clerk Cindy Oliver, Highway & Water Superintendent Ed Morgan, Attorney Jeff Martin, Assessor Lynn Wood, Nick Quaranto, Code Enforcement/Zoning Office Lynda Woolston, Residents Mark Taylor, Lori Rife, James Johnson, Patti Johnson, Dave Orions, Joe Sidonio, George Patterson, Alexander Salamaca, Hunter Salamaca, Adam Marriot

Absent: Councilman Henry Wagner

Pledge to the flag.

Motion by Bower, Seconded by Christ to approve the minutes of the January 8<sup>th</sup> board meeting as submitted. Motion Carried

**Mark Taylor** of 16351 Ridge Road had complaints that the light problem still has not been rectified. He stated that Mr. Marriott's business is closed and the light should not be left on. He is doing this in retaliation for Mr. Taylor filing charges against Mr. Marriott's father. CEO/Zoning Officer Lynda Woolston said that according to the Orleans County Health Dept., Mr. Marriott has a valid permit to run his business until September of 2008. The CEO and Building Inspector have not responded to his letters or complaints. Mr. Taylor said he will continue to call the Sheriff's Dept. until this matter is taken care of. He stated that Mr. Marriott's fence blew down and he thought that the CEO or Building Inspector would have inspected it when the fence was put in. He has intentionally thrown garbage out there. It seems to Mr. Taylor that CEO and Bldg. Insp. go out of their way for George Marriott. Other items addressed by Mr. Taylor were the cooler and shed that Mr. Marriott has no permit for, or the shed he attached to the bldg. Mr. Marriott's building plans he filed with the town do not have the cooler included. Joe Sidonio asked if this could be dealt with in a civil court. Mr. Taylor asked that the board investigate the allegations he spoke of tonight. Supervisor Lehning said they will do what they can to get the light turned off. Lynda stated that many of the things Mr. Taylor spoke of have been addressed. The outcome may not have been what Mr. Taylor wanted but until the Health Dept. says that it is no longer a business there is nothing Lynda can do about the light. Lynda stated that she would be asking Mr. Taylor to

supply her with a permit for the kennel that they have on their property. Mr. Taylor said he has turned this matter with Lynda and Dan over to the Attorney General.

**Assessor** - March 1<sup>st</sup> is fast approaching. The office is up to date with all new structures and improvements. Assessments will be put on them. Lynn spoke of all Assessors in the County being connected to a main server enabling Assessors to look up any property information of the ten towns in the county. Lynn and Nick volunteered to be connected first.

**Supervisor** - Last week's Supervisor/Legislator luncheon was sponsored by the Orleans County Chamber of Commerce and was quite interesting.

**Correspondence** -

- phone calls from various energy suppliers. National Grid is part of this consortium. National Grid will be giving us another quote although we have gone to Direct Energy.
- Time Warner, station contract renewal
- Erie Canal National Heritage Corridor annual report for 2007
- Clean Sweep - Clean up application
- Supervisor/Legislator meeting 02/26, Daniel Spitzer will be speaker
- Local government conference in Albany for three days sponsored by Assemblyman Hawley. 70 people are needed, price will range from \$450 - \$500.
- Letter from Attorney General - touting resources of their office.
- Thank you from David Paul for granting Taryn a hardship for water on Gulf Rd. property.

**Code Enforcement/Zoning** - Five building permits were issued in January. Many inquiries regarding how many dogs a resident is allowed. As long as they're fed and housed, there is nothing in our zoning that addresses the maximum number of dogs. Many questions about outdoor stoves as the state has put regulations on them. Kathy Berner's house is complete. Chris Lane's house will be complete by the end of the month. Dan has been supplied with the specs for the house that burned on Ridge Rd. They are ready to rebuild.

Councilman Christ asked Lynda to check the inside of Pasquelly's Pizza building to see if there is a doorway that was cut that goes to the attachment. Councilman Bower asked if a business is required to turn off their light during non-business hours or at night. Lynda said they do not have to ever turn off the light. Until we have in writing that he

is totally closed, we cannot make him turn it off. Lynda stated that she and Dan met with Mr. Marriott at the Town Hall and asked him to turn off the light at night. He said he will not. Lynda informed Councilman Christ that the snowmobile club put the sign up that he was inquiring about.

**Old Business –**

Water District No. 13 - Motion by Christ, Seconded by Morriss to approve Pay Estimate No. 2 to Pilon Construction for \$43,015.88.

Motion Carried

Supervisor Lehning spoke about the status of the extension.

The second set of questionnaires have gone out for proposed water districts 15 and 16. At this point it is unknown exactly where the district will be. 85 were sent out and we have received 65 back. Joe Sidonio questioned why we are thinking putting public water on a road where 65% of the people on that road do not want it. Councilman Bower said if we can pick up a couple more houses, why not? We would only go as far as to supply the people just north of Telegraph that want it.

Discussion regarding status of District 14.

Joe Sidonio questioned the granting of a hardship to Taryn Hilliker. Their parcel was originally one 77 acre parcel. It has since been separated but they were being charged two separate water charges. This was addressed and one of the water charges was eliminated. We are just waiting for the correction to be signed by the county.

**Attorney Jeff Martin** – Discussion regarding David Paul's request to modify his special use permit. David Paul will have to fill out two separate applications for modifying the permit; one for vehicle storage and one for selling top soil from that location. These applications will then go through the Planning Board.

Water District No. 13 extension is still in the works. Stu Brown has submitted some materials to Rural Development. We would pick up an additional seven or eight parcels. This will affect loan and grant amount. We are not sure how the numbers will work out. Before Jeff does anything as far as establishing the extension, he will wait to see what happens with Rural Development. It will have to go through the approval process and the grant amount will have to be refigured based

on the extension. Supervisor Lehning stated that if it ends up raising the cost to the original residents, we should not do it.

Water District No. 11 – Discussion regarding what to charge for water per RV site in regards to Red Rocks Pond, Kevin Diehl's RV park and the cost of the extension. Jeff went over a couple of possibilities.

**Town Clerk** – Receipts for January totaled \$338 with \$183.98 for the General Fund.

NYS Dept. of Transportation is in receipt of the joint Form TE-9 that was sent in. They will investigate traffic conditions on Groth Rd between Route 104 and Phillips Rd, and Route 104 between Route 272 and Transit Rd relative to the establishment of a lower speed limit. Upon completion of the study, we will be notified of their determination.

Michael and Joseph McKain, owners of Red Oak Golf Range gave notification that they are renewing their seasonal liquor license effective April 1, 2008 through October 31, 2008.

Discussion regarding a town-wide dog census. There are many unlicensed dogs in the town and this is something that needs to be done. It can be done through the mail or we could hire someone to go door to door. The board will let Cindy know how they'd like to proceed with this at next month's meeting.

**Highway and Water Superintendent** – The Town of Clarkson opted not to form a water district along their side of Countyline Rd. Discussion regarding selling water to these residences. Jeff stated we should get approval from DEC before we do anything as we would be selling water to another county.

Motion by Bower, Seconded by Morriss to approve the sale of water to out of district users between Route 104 and Route 31 on the east side of Countyline Rd, subject to DEC approval

Motion Carried

Motion by Christ, Seconded by Morriss approving new tap in fee of \$750 for short service and \$1,500 for long service Motion Carried

Motion by Morriss, Seconded by Bower approving the Agreement for the Expenditures of Highway Monies Motion Carried Copy of Agreement on file in Town Clerk's office.

Frank Spiotta told Jeff that three sets of the as-builts for water district no. 11 and the industrial park will be given to Ed tomorrow.

Councilman Christ asked the status of the unpaid water bill for the hydrant customer. Jeff said he gave the customer until Friday, 2/16 to pay. If it is not paid by this time, he will be brought into Town Court.

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

General Fund	Claims 31-80	Total \$22,770.01
Highway Fund	Claims 26-49	Total \$37,237.12
Water District No. 1	Claims 5-9	Total \$ 349.49
Water District No. 2	Claims 5-11	Total \$ 9,824.41
Water District No. 3	Claims 6-11	Total \$ 5,351.62
Water District No. 4	Claims 5-7	Total \$ 20.67
Water District No. 5	Claims 5-7	Total \$ 17.78
Water District No. 6	Claims 8-14	Total \$ 3,978.52
Water District No. 7	Claims 5-7	Total \$ 43.78
Water District No. 8	Claims 5-7	Total \$ 32.22
Water District No. 9	Claims 5-7	Total \$ 17.78
Water District No. 10	Claims 7-12	Total \$ 342.52
Water District No. 11	Claims 8-18	Total \$ 663.63
Water District No. 12	Claims 6-8	Total \$ 20.67
Water District No. 13	Claims 7-10	Total \$ 1,206.92
Water District No. 15	Claims 1	Total \$ 41.00

Motion by Morriss, Seconded by Bower that the meeting be adjourned  
Motion Carried

Meeting adjourned at 8:27 p.m. by Supervisor Lehning.

Respectfully Submitted,

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Cynthia L. Oliver