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Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Assessor Lynn Wood, Nick Quaranto, Hwy. & Water Supt. Ed Morgan, Attorney Jeff Martin, Code Enforcement/Building Inspector Dan Strong, Richard Downey, Alex Salamaca, Hunter Salamaca, Mark Taylor, Gerald Mauro, Kathleen Bates, George Patterson, Pat Wood, David Paul and Taryn Hilliker

Public Hearing – Proposed Local Law No. 1 of 2008 – *A Local Law Amending Local Law No. 2 of 1999 Providing for the Control, Confining and Leashing of Dogs in the Town of Murray*

At the December meeting, Jeff passed out copies of amendments to the current local law and it was introduced at that time. Our current local law does not address an animal attacking another animal. There was an incident last year where a resident's dog was attacked and injured by a larger dog and nothing could be done because our current local law does not address this. The revisions Jeff made came from suggestions of the County Animal Control Officer. No comments or questions from those present.

Public Hearing closed at 7:04 p.m.

Town of Murray Town Board Meeting Minutes

January 8, 2008

Meeting called to order by Supervisor Lehning at 7:05 p.m.

Pledge to the flag.

2008 Appointments and Designations: The Town Board reviewed the appointments and designations for 2008. Appointments should state that Lynn Wood's term as Assessor ends on September 30, 2013. Motion by Bower, Seconded by Morriss making the following appointments and designations for the year 2008 as corrected.

Motion Carried

- That the Holley office of HSBC Bank, Chase and Fleet of Albion be designated official depositories of the Town
- That William Mayer is appointed Constable
- That Henry Lehning is appointed Property Manager
- That the contract with the Holley Community Library be approved in the amount of \$800.

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- That Henry Lehning is appointed Budget Manager at \$1,200 per year
- That Sally Naomi Shiffer is appointed Deputy Town Clerk
- That the Highway and Water Superintendent be authorized to attend schools as needed or required at Town expense
- That the Town Clerk be authorized to attend schools as needed or required at Town expense.
- That all Town officials be allowed 40¢ per mile for use of their vehicles on Town business
- That the Batavia Daily News be designated the official newspaper of the Town of Murray
- That the law firm of Heath & Martin represents the Town for the 2008 fiscal year
- That the Town authorize pre-payment of bills if due date is prior to the next board meeting to avoid late fees and penalties
- That the Town Board meetings be held on the second Tuesday of the month at 7:00 p.m.
- That Daniel Strong and Lynda Woolston are appointed Code Enforcement/Zoning Officers
- That Daniel Strong is appointed Fair Housing Officer for the Town of Murray
- That Henry Wagner is appointed Deputy Supervisor
- That Lynn Wood is appointed Assessor of the Town of Murray for a 6-year term ending September 30, 2013
- That Nicholas Quaranto is appointed Assistant to the Assessor
- That Gordon Sprague is appointed Deputy Highway Superintendent
- That Marsha DeFilipps is appointed Town Historian at \$900 per year
- That Charles Felice is appointed to the Town Planning Board for a 5-year term ending December 31, 2012
- That Norman Knight is appointed to the Zoning Board of Appeals for a 5-year term ending December 31, 2012
- That the Highway Superintendent is reimbursed \$70 per month for cell phone
- That Councilmen Ed Bower and John Morriss are appointed Town of Murray representatives to the Youth Commission.
- That Edward Morgan is appointed Water Superintendent and be compensated \$15,450 per year
- That Cynthia Oliver is appointed Water Clerk and be compensated \$7,725 per year
- That Linda Brooks is appointed Water Billing Clerk and be compensated at \$9.80 per hour

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- That the accounting firm of St. John & Baldwin is appointed Comptroller of water districts at \$125 per district
- That Cynthia Oliver be appointed Registrar of Vital Statistics at \$600 per year
- That Sally Naomi Shiffer is appointed Deputy Registrar of Vital Statistics

Motion by Wagner, Seconded by Christ that the following salaries be set and paid as follows: Motion Carried

- Supervisor \$ 7,800
- Town Clerk \$ 23,800
- Highway Superintendent \$ 49,500
- Councilmen (4) @ \$ 3,000
- Town Justice (2) @ \$ 10,000
- Assessor \$ 16,000
- Building Inspector \$ 25 per hour
- Zoning Officer \$ 25 per hour
- Board of Review (3) @ \$ 350
- Zoning Board Chairperson \$ 60 per meeting
- Zoning Board (4) @ \$ 30 per meeting
- Planning Board Chairperson \$ 60 per meeting
- Planning Board (4) @ \$ 30 per meeting
- Deputy Town Clerk \$ 9.80 per hour
- Highway/Water Billing Clerk \$ 9.80 per hour
- Highway Employees 3% raise (60¢ per hr)

Ed Morgan stated that he thinks standard hours for Laborer Part Time and M.E.O. Part Time should be changed from six hours to eight hours. Motion by Christ, Seconded by Morriss setting the following standard work hours for the positions listed below as required by New York State for retirement purposes only: Motion Carried

<u>Position</u>	<u>Standard Hours</u>
• Clerk Park Time	6
• M.E.O.	8
• Historian	6
• Highway Superintendent	8
• Town Clerk	6
• Assessor	6
• Budget Services	6
• Supervisor	6
• Town Justice	6

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- Councilperson 6
- Laborer Part Time 8
- Clerk to the Town Justices 6
- Deputy Town Clerk 6
- Zoning Officer Park Time 6
- Code Enforcement Officer Part Time 6
- M.E.O. Part Time 8

Motion by Wagner, Seconded by Bower to approve the minutes of the December 11th and December 18th board meeting as submitted.

Motion Carried

Alexander Salamaca of 2900 Kendall Road spoke of his concerns for the declining population of the Town of Murray. He would like the Board to look into the reasons for this. Brief discussion regarding some inaccuracies in the 2000 census. Mr. Salamaca also had questions regarding exemptions he may be entitled to. He should stop in and speak to the Assessor about this.

Richard Downey of 3186 N. Main St. Rd gave the board documentation and statements regarding the water surveys that were mailed out. Not everyone on the roads listed were sent a survey. Mr. Downey stated that he thinks land owners should have been surveyed also and should have a say. They will also have to pay for the water line. Supervisor Lehning explained that the district has not even been formed yet. The addresses where the surveys were sent are not the final boundaries; the surveys were just to give us an idea of who is interested. The resolution that was passed last month was not to form a water district, it was to approach Stu Brown Associates to see if they are interested in going forward with the study.

Taryn Hilliker of 3823 Monroe Orleans County Line Rd explained her situation regarding her property and the subdivision of the original 78 acres. She thinks she is entitled to a hardship for the Gulf Rd property regarding water district charge. Discussion regarding hardship requirements. Jeff Martin and Lynn will go over this and evaluate if she is entitled to a hardship for the water.

David Paul of 3823 Monroe Orleans County Line Rd spoke of the progress on the Gulf Rd property. Discussion regarding Mr. Paul's special use permit and his intention/request of putting senior mobile home housing on this property. Mr. Paul stated that he would like to be treated fairly and if the board or zoning officers have a problem with his actions to please speak to him before it becomes an issue.

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Mr. Paul thinks the Town's Mobile Home Law needs updating. He passed out pictures of the type of park he'd like to have on his Gulf Rd property. Dan Strong gave definition of mobile home and modular home. Mr. Paul asked that the law be terminated or modified in some way so he is allowed to put this type of housing in.

Assessor – Lynn and Nick have been out on the roads checking property structures and improvements. There has been a lot of activity in the office with residents and STAR exemptions. Lynn went over the requirements for Basic STAR and Senior STAR.

Correspondence –

- nomination application for the Orleans County Youth Board.
- schedule of County Planning Board meetings for 2008.
- minutes of November County Planning Board meeting.

Supervisor – Still in negotiations trying to get the water district 13 extension approved. There is a lot of work involved in doing so.

Zoning/Code Enforcement – Dan Strong reported that 80 permits were issued in 2007. Dan issued a permit for a rebuild for the house that burned in the hamlet of Murray. CW Cold Storage just needs an electrical final. Dan walked through the house at 4014 Fancher Rd, owned by Ray Zavala. This is an older home that Mr. Zavala has totally redone and it is quite impressive.

Old Business – Supervisor Lehning has copy of budget report on water district no. 12. We have not yet received the completion certificate from the engineer, but it is forthcoming.

New Business – We have received Pay Estimate No. 1 for Water District No. 13. Motion by Wagner, Seconded by Christ to approve payment no. 1 for Water District No. 13 in the amount of \$246,397.11 to Pilon Construction. Motion Carried

We received three Comprehensive Plan proposals. The proposal from Steinmetz Planning Group is \$19,000, Stu Brown \$17,000 and Martin Environmental Consulting \$6,895. The Board reviewed these proposals. Motion by Christ, Seconded by Wagner that the Town hire Martin Environmental Consulting to update the Town of Murray Comprehensive Plan. Motion Carried

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Board members have a copy of the Town of Murray Code of Ethics. We will devote time at the February meeting to start discussions of updating this.

Councilman Christ questioned if the Town of Murray could authorize the Holley Police Dept. to issue tickets outside the Village on Route 237 over the canal and near the Lynch Road area since there are stop sign violations and speed problems in the school area. He questioned if the Town could give 5-10% of fines collected from these tickets to the Village. After discussion, we will let things remain as they are with the Sheriff's Dept. and NYS Troopers patrolling this area.

Resident Kathleen Bates questioned why she was billed \$500 for her meter pit when she was quoted a price of \$400. \$100 is a huge difference in price. Ed said he does not recall quoting \$400, but the prices are constantly changing. Ed questioned whether the Town should stop letting residents buy their meter pits from us, and letting them go to Rochester and pick up their own. This would avoid any discrepancies. It may cause problems if residents mistakenly purchase the wrong model, but there will be no questions regarding the changes in cost. After discussion, we will continue to do as we have in the past.

Attorney Jeff Martin – Motion by Morriss, Seconded by Bower to adopt Town of Murray Local Law No. 1 of the Year 2008 entitled *A Local Law Amending Local Law No. 2 of 1999 Providing for the Control, Confining and Leashing of Dogs in the Town of Murray.*

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

Ayes	5	Wagner, Christ, Bower, Morriss, Lehning
Nays	0	
Absent	0	

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

Jeff will send copies to Gail Kihn and the County Dog Control Officer.

By mid week next week for water district no. 13 we will go ahead and borrow our local share of \$223,000.

Town Clerk – Receipts for December totaled \$410, with \$140.46 for the General Fund. The office has been busy collecting county & town taxes. Although tax collection continues until April 30th, the busiest months will be January and February.

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Highway & Water Superintendent – The water rates need to be changed from \$3.75 to \$4.00 per thousand. Currently, Murray has the lowest water rate and there is not enough being raised through sales in some of the smaller water districts to offset the cost of running the districts. Motion by Wagner, Seconded by Morriss to raise the water rates beginning with the April billing period to \$4.00 per thousand gallons. Motion Carried

Ed informed the board that a resolution needs to accompany the TE9 Form for the speed limit survey of Groth Rd and Ridge Rd.

Ed gave a brief report on the progress of water district no. 13.

The engineer is designing a more economical oil water separator for the drain in the highway garage.

Regarding the water system inspection that Ed reported on last month; the two minor concerns of having the keys stamped 'do not duplicate' and updating our emergency response plan have been satisfied. The as-builts for water district no. 11 and for the extension from Lake Rd to the IDA Park still have not been received from Frank Spiotta. Jeff Martin will call him and give him until January 18th to get the as-builts to Ed. If he does not, Jeff will report it to the licensing agency. It has been more than a month since he last said he'd have them to us.

Jeff will get the exact figure of unpaid hydrant bill from Ed and bring the matter into Town Court. This bill is still unpaid from two years ago.

Motion by Christ, Seconded by Morriss authorizing the Highway Superintendent to sign the Indexed Lump Sum Municipal Snow and Ice Agreement for the 2009/2010 contract year.

Motion Carried (on file in Town Clerk's office)

Supervisor Lehning spoke about the payment in lieu of taxes this year. The business park is doing very well for the community.

David Paul asked the Board to keep his name in mind for Planning or Zoning Boards. He sent a letter to Supervisor Lehning stating this that he should receive in a couple days.

Regarding the TE-9 Form for Groth Rd and Ridge Rd., Gerald Mauro of 17186 Ridge Rd asked if it was possible to request a solid yellow line in front of his house. There has been one incident a few months back

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where a motorist was killed in front of his house and another incident where a bus ran into his barn. He knows the speed limit in this area will not be reduced but a solid line would deter passing on this stretch of Ridge Rd. Ed said that the state will evaluate the road markings also.

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

General Fund	Claims 1-30	Total \$50,897.47
Highway Fund	Claims 4-16	Total \$14,915.14
Water District No. 1	Claims 1-4	Total \$ 463.90
Water District No. 2	Claims 1-4	Total \$ 269.21
Water District No. 3	Claims 1-5	Total \$ 1,319.90
Water District No. 4	Claims 1-4	Total \$ 1,270.43
Water District No. 5	Claims 1-4	Total \$ 396.86
Water District No. 6	Claims 1-7	Total \$ 4,216.89
Water District No. 7	Claims 1-4	Total \$ 3,601.74
Water District No. 8	Claims 1-4	Total \$ 2,189.95
Water District No. 9	Claims 1-4	Total \$ 989.12
Water District No. 10	Claims 1-6	Total \$ 394.68
Water District No. 11	Claims 1-7	Total \$ 4,599.53
Water District No. 12	Claims 1-5	Total \$ 6,512.78
Water District No. 13	Claims 1-6	Total \$ 9,385.03

Motion by Christ, Seconded by Bower that the meeting be adjourned.
Motion Carried

Meeting adjourned by Supervisor Lehning at 9:04 p.m.

Respectfully Submitted,

Cynthia L. Oliver