

**Town of Murray Board Meeting Minutes**

July 10, 2007

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, Ed Bower and John Morriss, Code Enforcement/Zoning Officer Lynda Woolston, Attorney Jeff Martin, Town Clerk Cindy Oliver, Karen Clark, Stanley Kemp, Kathleen Bates, Joe Sidonio

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

Pledge to the flag.

Motion by Wagner, Seconded by Bower to approve the minutes of the June 12, 2007 board meeting as submitted. Motion Carried

**Supervisor:**

We have received the final approval on water district no. 13 – The numbers haven't changed from the preliminary report: \$223,000 loan, \$382,000 grant, \$9,900 to come from local sources. Total 614,900. Supervisor Lehning will sign the acceptance letter and the engineering plans can be finished.

Brief discussion of letter from our health insurance carrier regarding mandated changes of the diagnosis and treatment of mental illness.

**Assessor:**

Lynn Wood reported that the final roll was filed on July 2<sup>nd</sup>. Figures have been sent to the three schools so they have the numbers to start preparing their budgets. Lynn stated there will be one small claims case filed and possibly another regarding assessment. Discussion regarding exemptions. Total assessed valuation of exempt properties in the Town of Murray is over \$36,000,000.

George Karpenko entered meeting.

**Zoning/Code Enforcement:**

After the last Board meeting Lynda and Dan met with Pasqually's Pizza regarding complaints that were brought before the Board. Mr. Marriott now has a dumpster and is also properly disposing of grease. Lynda gave proof to the Board. Lynda also spoke to the Taylors regarding their ongoing garage sale and gave them a copy of the law and regulations pertaining to this. A Special Event Permit was issued to the Murray Tractor Pull. A Stop Work Order was issued on Bennetts

Corners Rd but the situation is being worked out. Dan has done two finals since last meeting. Lynda is sending letters out to residents with barns in poor condition. Lynda will be contacting owner of the DePalma property on the Fancher curve regarding a possible controlled burn of the two buildings that are in very poor condition. Building permits were issued for a couple barns, sheds, swimming pools (six). A building permit was issued to David Paul for a lean-to and a 32 square foot "Dave's Pig Farm" sign. His property is zoned RA and Agriculture and Agri-Business are permitted. New homes coming to Countyline Rd, Transit Rd, and Holley Rd. All residents are on notice to get their unregistered vehicles taken care of. Discussion regarding alarm systems for pools.

David Paul and Taryn Hilliker entered meeting.

**Correspondence:**

- "Talk of the Towns" – FCC Adopts Unfavorable Video Franchising Rules
- Dept. of Ag. & Mkts. – request for Proposals for Farmland Protection Implementation Projects
- Orleans County Planning Board Minutes
- "Canalway Trail Times"
- Information from Western Erie Canal Alliance regarding the National Register Eligibility Statement for the NYS Canal System
- Genesee/Finger Lakes Regional Review
- Assemblyman Hawley requesting information on upcoming events and meetings as he would like to attend as many as possible
- Annual Report from NYMIR
- METRO Magazine

**Old Business:**

Bids for water district 12 were opened on June 27<sup>th</sup>. Pilon Construction was the successful bidder. Board received copies of the spread sheet listing the bids. The amount is below the estimates and financially we will be in good shape for the district.

Motion by Wagner, Seconded by Morriss that upon recommendation of Chatfield Engineers, P.C., the Town of Murray awards the contract for the construction of Town of Murray Water District No. 12 to Pilon Construction Co., Inc., the lowest responsible bidder, at a contract price of \$391,782.75, including Alternate 1, subject to the approval of NYS Governor's Office of Small Cities.

Upon being put to a roll call 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 the Town’s contribution towards the bicentennial celebration. Supervisor Lehning was reluctant to spend a large amount of money as he was not sure of the legality of it and also expense-wise. After verifying that under Town Law, a town is authorized to establish a publicity fund and can appropriate up to \$25,000 without any kind of referendum, the Board is in agreement to put \$10,000 into a publicity account and the Town will match dollar for dollar the amount that the celebration committee raises up to \$5,000. Jeff Martin asked Controller Mitch Morris if a bicentennial was appropriate to expend these funds and he verified that it was. Motion by Morriss, Seconded by Bower that the Town of Murray establish a publicity account for the bicentennial celebration. The Town will appropriate \$10,000 for this fund and will match the amount that the Celebration Committee raises up to \$5,000. All bills will go through the Town and will be paid by the Town from the publicity account.

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)

Supervisor Lehning suggested the committee start developing a preliminary schedule of events so all can get the word out. Councilman Morriss stated he will make sure the celebration will be mentioned in the next Town Newsletter. The celebration will take place the first weekend in August, 2008. Councilman Morriss thanked the board on behalf of the Celebration Committee.

**Old Business:**

Discussion regarding the State of NY taking over the siting of wind towers. The consensus of the Board is that the power should remain with the local municipalities. Motion by Wagner, Seconded by Christ that the Town of Murray declares it’s opposition to any inclusion of the siting of windmills in Article X of the Public Service Laws as it removes local control of our landscape and violates the principles of Home Rule that has been the guiding force of our state.

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)  
Cindy will forward copies of the adopted resolution to the Governor and other elected State officials.

The Board was given copies of the proposed County Animal Control Agreement. As this will be discussed at the September Supervisors/Legislators meeting, no decision is needed tonight.

A complete audit of our Justice Court needs to be done. Supervisor Lehning received a proposal from Gray, CPA. Discussion of having Gray perform the audit or doing it amongst ourselves. What is now required is quite extensive. Motion by Wagner, Seconded by Morris to have Gray CPA add Justice Court to their audit function at a cost of \$1,500. Motion Carried

**Attorney Jeff Martin:**

As far as Bond Council is concerned, anytime we need to borrow the money for Water District 12, we are in a position to do so.

**Town Clerk:**

Cindy reported receipts for June totaling \$2,756.04. Revenues for the General Fund totaled \$2,364.80. As the Board agreed last month to begin publishing our legal notices in the Batavia Daily News, Cindy informed them she will need to order a one-year subscription.

The Town has two old chairs that are no longer needed. One came from Judge Spada and the other is an extra chair that came with the Town Clerk furniture. Motion by Bower, Seconded by Christ declaring these chairs as surplus and no longer needed for Town use.

Motion Carried

**Highway & Water Superintendent:**

Ed Morgan was not present but submitted a written report:  
Motion by Wagner, Seconded by Christ that the Town of Murray sign a one-year contract with Waste Management for \$125.46 per month.

Motion Carried

The Town of Murray is locked in with Hometowne Energy for propane from July 1, 2007 through June 30, 2008 at \$1.549 fixed.

Brief discussion regarding the Kabota mini excavator. For the second month we have been renting it. Ed would like to purchase it with the rental going towards the price. Ed thinks the FEMA money from the storm would pay for it. All are in agreement that if it is needed and if Ed thinks the FEMA money would pay for it he should look into it and get some figures.

Complete as-builts for Water District No. 11 have still not been received by the Orleans County Health Department or the Town of Murray Water Department. Freel Engineers has been paid in full. Jeff Martin will contact him.

Norway Road paving has been completed. The building pillar is fixed between overhead garage doors. Chatfield Engineers are redoing the specs on the floor drain for a smaller system. Kistner will re-quote oil/water separator after they receive the new specs.

Motion by Christ, Second by Wagner that the following budget transfers be approved and made: Motion Carried

GENERAL FUND – TOWNWIDE

<i>Transfer From:</i>		<b>Unanticipated Revenues</b>	
	A1090	Int. & Pen. Real Prop Taxes	\$ 512.00
	A1170	Franchise Fees	\$ 7,300.00
	A2270	Miscellaneous	<u>\$ 3,000.00</u>
		<b>TOTAL:</b>	<b>\$10,812.00</b>
<i>Transfer To:</i>			
	A14101B	Town Clerk Medical Reimb	\$ 4,112.00
	A1620.2	Buildings Equip – Furniture	\$ 2,762.00
	A1920.4	Dues	\$ 5.00
	A5010.1B	Hwy Supt Medical Remib	\$ 3,391.00
	A7510.4	Historian Contractual	\$ 30.00
	A7520.4	Historical Property Contr	<u>\$ 512.00</u>
		<b>TOTAL:</b>	<b>\$ 10,812.00</b>

HIGHWAY FUND – TOWNWIDE

<i>Transfer From:</i>		<b>Unanticipated Revenues</b>	
	DA2770	Miscellaneous	<u>\$ 1,500.00</u>
		<b>TOTAL:</b>	<b>\$ 1,500.00</b>
<i>Transfer To:</i>			
	DA5130.4	Service Charges/Misc	<u>\$ 1,500.00</u>
		<b>TOTAL:</b>	<b>\$ 1,500.00</b>

WATER #1

<i>Transfer From:</i>			
	SW8310.1	Admin Personal Services	\$ 300.00
	SW8320.4	Source of Supply Contr	<u>\$ 20.00</u>

**TOTAL: \$ 320.00**

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 20.00
	SW8310.1A	Admin Pers Svc Clerk	\$ 300.00
		<b>TOTAL:</b>	<b>\$ 320.00</b>

WATER #2

<i>Transfer From:</i>	SW8310.1	Admin Personal Service	\$ 1,275.00
		<b>TOTAL:</b>	<b>\$ 1,275.00</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 1,275.00
		<b>TOTAL:</b>	<b>\$ 1,275.00</b>

WATER #3

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 795.00
		<b>TOTAL:</b>	<b>\$ 795.00</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 795.00
		<b>TOTAL:</b>	<b>\$ 795.00</b>

WATER #4

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 285.00
		<b>TOTAL:</b>	<b>\$ 285.00</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 285.00
		<b>TOTAL:</b>	<b>\$ 285.00</b>

WATER#5

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 112.50
		<b>TOTAL:</b>	<b>\$ 112.50</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 112.50
		<b>TOTAL:</b>	<b>\$ 112.50</b>

WATER #6

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 997.50
	SW8320.4	Source of Supply Contr	\$ 105.00
		<b>TOTAL:</b>	<b>\$ 1,102.50</b>

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 105.00
	SW8310.1A	Admin Per Svc Clerk	\$ 997.50
		<b>TOTAL:</b>	<b>\$ 1,102.00</b>

WATER #7

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 690.00
		<b>TOTAL:</b>	<b>\$ 690.00</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 690.00
		<b>TOTAL:</b>	<b>\$ 690.00</b>

WATER #8

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 555.00
	SW8320.4	Source of Supply Contr	\$ 20.00
		<b>TOTAL:</b>	<b>\$ 575.00</b>

<i>Transfer To:</i>	SW1990.4	Contingency	\$ 20.00
	SW8310.1A	Admin Per Svc Clerk	\$ 555.00
		<b>TOTAL:</b>	<b>\$ 575.00</b>

WATER #9

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 187.50
		<b>TOTAL:</b>	<b>\$ 187.50</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 187.50
		<b>TOTAL:</b>	<b>\$ 187.50</b>

WATER #10

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 428.00
		<b>TOTAL:</b>	<b>\$ 428.00</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 225.00
	SW8310.2	Admin Equipment	\$ 28.00
	SW8320.1	Source of Supply Svc	\$ 175.00
		<b>TOTAL:</b>	<b>\$ 428.00</b>

WATER #11

<i>Transfer From:</i>	SW8310.1	Admin Personal Services	\$ 675.00
		<b>Unanticipated Revenues</b>	
	SW2401	Interest & Earnings	\$ 937.50
		<b>TOTAL:</b>	<b>\$ 1,612.50</b>

<i>Transfer To:</i>	SW8310.1A	Admin Per Svc Clerk	\$ 1,612.50
		<b>TOTAL:</b>	<b>\$ 1,612.50</b>

WATER #10 CAPITAL

<i>Transfer From:</i>	SW3991	Grants	\$ 5,913.87
		<b>TOTAL:</b>	<b>\$ 5,913.87</b>

<i>Transfer To:</i>	SW8320.4B	New Construction Costs	\$ 5,913.87
		<b>TOTAL:</b>	<b>\$ 5,913.87</b>

WATER #11 CAPITAL

<i>Transfer From:</i>	SW3991	Grants	\$99,739.30
		<b>TOTAL:</b>	<b>\$99,739.30</b>

<i>Transfer To:</i>	SW8320.4B	New Construction Costs	<u>\$99,739.30</u>
		<b>TOTAL:</b>	<b>\$99,739.30</b>

Motion by Christ, Seconded by Wagner to approve the Supervisor’s financial report and that the following bills be approved and paid:

General Fund	Claims 210-243	Total \$26,175.27
Highway Fund	Claims 148-166	Total \$54,575.95
Water District No. 1	Claims 37-40	Total \$ 753.58
Water District No. 2	Claims 49-52	Total \$ 423.99
Water District No. 3	Claims 55-59	Total \$ 1,971.41
Water District No. 4	Claims 31-34	Total \$ 2,227.23
Water District No. 5	Claims 26-29	Total \$ 1,057.28
Water District No. 6	Claims 54-59	Total \$ 5,323.84
Water District No. 7	Claims 33-37	Total \$ 8,409.86
Water District No. 8	Claims 32-35	Total \$ 4,470.45
Water District No. 9	Claims 31-34	Total \$ 1,870.73
Water District No. 10	Claims 49-54	Total \$ 536.38
Water District No. 11	Claims 54-61	Total \$ 8,093.43

The next Town Board meeting is August 14<sup>th</sup> at 7:00 p.m.

Joe Sidonio thought that the official Town newspaper had to be based in the county. Jeff Martin stated that the newspaper’s circulation has to be within our county, not based in our county.

Kathleen Bates questioned when water district no. 12 will be started. Bidding has to be reviewed by Small Cities. A guess would be within a month. We are pretty comfortable with the figures, as in the bid is the extension where Murray will serve the house in the Town of Albion and the Town of Albion will serve the house in Murray.

Motion by Wagner, Seconded by Bower to adjourn meeting.  
Motion Carried

Meeting adjourned at 8:15 p.m. by Supervisor Lehning.

Respectfully Submitted,

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Cynthia L. Oliver