

Town of Murray Board Meeting Minutes
June 12, 2007

Present: Supervisor Henry Lehning, Councilmen Henry Wagner, Lloyd Christ, John Morriss and Ed Bower, Highway & Water Superintendent Ed Morgan, Zoning & Building Inspector Dan Strong, Attorney Jeff Martin, Town Clerk Cindy Oliver, Legislator Kenneth Rush, Karen Clark, Ed Merritt, Donna Merritt, David Dill, Sandra Heise, Richard Downey, Alexander Salamaca, Mark Taylor, Lori Rife, George Karpenko, Rob Welch, Kathleen Bates, George Patterson, David Paul

Pledge to the flag.

Motion by Christ, Seconded by Bower to approve the May 8th minutes of the wind energy public hearing as submitted. Motion Carried

Motion by Wagner, Seconded by Bower to approve the May 8th minutes of the Town Board meeting. Motion Carried

Zoning/Code Enforcement: Dan Strong reported the issuance of 13 building permits in May. These included barns, decks, re-roofs, pools and a pavilion. Red Rock RV Park on Canal Rd. has the main building up and work has begun on a couple other structures. Jim Regan's home on Center Rd. has been finished. Dan informed all that the Planning Board is holding a public hearing tonight regarding CW Cold Storage for a controlled atmosphere building. 30 clean-up letters have been sent. The letters that were sent certified have come back unsigned.

Dan informed Board that the DEC has been in touch with Lynda regarding Paul/Hilliker Gulf Rd. property. The DEC is keeping her updated.

Alexander Salamaca: Mr. Salamaca spoke regarding assessments. He questioned if a resident would be penalized with a higher assessment for doing general maintenance to their home such as siding, roofing, etc. Assessor Lynn Wood said something such as new siding will not raise an assessment as it is considered maintenance. Mr. Salamaca also asked if something can be done about property in the Town that is not being maintained and residents picking up the junk around their property. Supervisor Lehning stated that the State Building Code covers this and our zoning officers are working on it.

Mark Taylor: Mr. Taylor reported problems he is having with his neighbor Pasqually's Pizza. He has called the Code Enforcement Officer and is still having a problem. Discussion of burning garbage (pictures were shown), garbage including beer cases thrown to the side of the building and they do not have a liquor license. Brief discussion of property line. Mr. Taylor thinks a commercial business should be required to have a commercial dumpster. This will be reported to the Zoning Officer.

Assessor: The Board of Assessment Review met with 13 property owners on May 22nd. Adjustments were made and recorded on about 75% of them. The office is preparing for the final roll. The Governor signed a bill that allows agriculture increase of 10%. We presently have 33 agriculture exemptions and the Board of Assessment Review would have to okay each one for the increase in their exemptions. There is one property owner not satisfied with the BAR's results. Sales are still coming in above assessed value.

Legislator Kenneth Rush: Legislator Rush gave update on the Orleans County Nursing Home. Also spoke of the need for a jail and the steps the county is taking to accomplish this.

Correspondence:

- Information for applicants from NYSDEC for various grant programs
- Report from Holley Community Free Library for last quarter activities
- Notification from State Dept. of Real Property stating that the equalization rate is 100%
- Special Commission of NYS Courts, state-wide visits to Town and Village Courts regarding court security among other things. They visited our court last week.
- County Planning Board Minutes
- Letter from Agricultural Farmland Protection Board asking Towns to encourage their Planning Boards not to allow building to infringe on farmland
- Grant funds are available for protection programs from Dept. of Ag. & Mkts.
- August 10-12 is the Annual Canal Splash with various events along canal
- Engineers report on Water District 12, approval letter from the Dept. of Health. Pre-bid meeting is next week and June 27th is the opening of bids at 11:00 a.m.

Saturday, Holley Volunteer Ambulance, Supervisor Lehning, Village of Holley Mayor John Kenney, a representative from FHM Fire Co. had a meeting. Supervisor Lehning handed out information from the meeting. They HVA is having a problem getting volunteers and drivers as the amount of training the state mandates to become an EMS is great. Although Supervisor Lehning understands this, he does not think the taxpayers should pay the price.

Members of the Town Bi-centennial celebration committee were present. David Dill, chairman of the committee spoke of the need for a monetary commitment from the Town to cover costs in order to move ahead with the plans for the celebration. Supervisor Lehning was not sure if the Town can legally use money in the general fund for this purpose. He will get back to David with an answer by the end of the week.

Motion by Christ, Seconded by Morriss authorizing the Town of Murray Justice Court to apply for a New York State Justice Court Assistance Program grant.

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)

Town Clerk: Cindy reported May receipts of \$942.14. Revenues for the general fund totaled \$766.64.

Cindy suggested that we start publishing our legal notices in the Batavia Daily News instead of the Albion Advertiser as we have had many problems with the notices not being published when requested and also often not receiving affidavit of publication.

Highway and Water Superintendent: Ed Morgan reported on water school that he attended in May. He spoke of new regulations for water samples which will have to be sent to Syracuse. Ed also attended highway school last week and spoke of new federal regulations for street signs which means higher cost.

The new pick-up truck is here. Brief discussion about what to do with the old one. Sell locally, put it up for bids? It was decided that if we don't get what we think it is worth, we will go to public auction with it. The mower tractor should be here by the end of the month. The

hydraulic pump went out on the old one last week. Ed spoke of which roads the Hwy. Dept. will be doing some paving on. There is an escalation in asphalt cost.

All of the paperwork is in for approvals on Water District 13. We should be able to go out for bids by the end of July or the first part of August.

Councilman Wagner informed Ed that he will convey to the Eagle Scout that the last coat of paint needs to be put on the Clark Hatch cemetery fence. Ed said he can get him some assistance if he needs it.

Discussion regarding the Town of Murray signs. Councilman Christ stated that the Route 31 signs are up but the ones for Ridge Rd. are not. Ed said he would call and inquire about it.

Councilman Bower passed out options for how to go about completing a dog census. He asked the Board to review these options and hopefully come up with a plan at the next meeting.

Attorney Jeff Martin: All six easements for Water District 12 are secured and recorded.

Motion by Christ, Seconded by Bower authorizing Supervisor Lehning to sign a water purchase agreement with the Village of Albion for Water District 13.

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)

Jeff stated he also is having various problems with the Albion Advertiser regarding legal notices as well as Stu Brown. He is in agreement that we go with Batavia Daily as it is also the official town newspaper. All are in agreement.

Special Use Permits were approved for Kevin Diehl and CW Cold Storage tonight at the Planning Board Public Hearing.

Motion by Christ, Seconded by Morriss to approve the Supervisor's financial report and that the following bills are approved and paid:

General Fund	Claims 174 – 209	Total \$27,647.91
Highway Fund	Claims 126 - 145	Total \$39,750.72
Water District No. 1	Claims 30 – 36	Total \$ 720.10
Water District No. 2	Claims 39 – 48	Total \$ 4,684.24
Water District No. 3	Claims 46 – 54	Total \$ 2,616.82
Water District No. 4	Claims 25 – 30	Total \$ 115.32
Water District No. 5	Claims 20 – 25	Total \$ 94.79
Water District No. 6	Claims 44 – 53	Total \$ 4,350.60
Water District No. 7	Claims 27 – 32	Total \$ 187.12
Water District No. 8	Claims 26 – 31	Total \$ 146.09
Water District No. 9	Claims 25 – 30	Total \$ 94.80
Water District No. 10	Claims 40 – 48	Total \$ 465.50
Water District No. 11	Claims 44 – 53	Total \$ 1,275.28

Motion by Morriss, Seconded by Bower to adjourn meeting.

Motion Carried

Meeting adjourned at 8:20 p.m. by Supervisor Lehning.

Respectfully Submitted,

Cynthia L. Oliver